

1 FEDERAL AVIATION ADMINISTRATION

2 PUBLIC WORKSHOP (#2)

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4 NONMILITARY HELICOPTER NOISE STUDY

5 (AIR-21: SECTION 747)

6

7 Federal Aviation Administration

8 Headquarters

9 800 Independence Avenue, S.W.

10 Washington, D.C.

11

12 Friday, October 20, 2000

13 8:40 a.m.

14

15

16

17 SANDY LIU, PRESIDING

18 PAUL DYKEMAN, ~~Presiding~~ INTRODUCTION

19 Deputy Director

20 Environment and Energy

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PROCEEDINGS

(8:40 a.m.)

MR. LIU: I want to welcome everybody.

This Workshop is in regard to Nonmilitary Helicopter Noise Studies mandated by FAA.

We are going to discuss a lot of the important information that was submitted by the public and give the public an opportunity to emphasize any major concerns in that regard.

I would like to introduce Paul Dykeman.

He would like to make a couple of welcoming remarks.

MR. DYKEMAN: Welcome to the FAA Building. For those of you from the Washington area, welcome, probably, to the best weather you'll see in the Washington area for years.

A couple of years ago-- Or, a month ago, we were wet, and about three months from now, if the weather forecasters are right, we're going to be very cold, so you got here at the right time.

I think it would probably be fair for all of us to introduce ourselves for a second just so we know who is here and where you may have come from.

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strictly to be to a single location in the U.S., and that's not true.

We're looking at this thing as a national program.

We did some of our measurements in one particular area only because those measurements that we did reflect basically the type of noise that we were looking for and they were trying to put together.

It was not reflective of just that area itself, but it is basically a dense, urban area reflecting almost any major city in the United States.

So, we have had one Workshop back in August. We got somewhere in the neighborhood of 60 or 64 comments that have been submitted to the record on this.

I am hoping that more come in. This is a very fast-track study that we're doing.

Normally, when we do something like this, it will take a couple of years. It is programmed in advance.

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I guess I know what your interest is here. Otherwise, you wouldn't be here. It would be helicopter noise.

But, if I could, could we just go around and tell what area you're from and if you're representing somebody, whoever that may be.

(Introductions made.)

MR. DYKEMAN: Thank you. You all know Sandy. Sandy is our man in AEF, the office who works certification issues and is Project Manager of the Study.

We're glad to see that we do have people from outside the area here, so we'll probably get a more diverse view of what the problems may be and get that input.

I think this is very important, that the study that we're doing, that we have as much input as we can from various areas of the country.

This is a national study. This is not local.

Some people thought originally, the way the wording may have come out, that it was intended

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Money is appropriated to do this thing, and we have a better availability, if you will, to lay out the task on how we want this to go.

This, when we got the word that we were going to do this, about the second week in April after the AIR-21 was put out on the street, and we saw what the Appropriation Bill language was, and I've had to reprogram money among the noise programs in the office in order to be able to do this.

We do have to do this and report to Congress by the first week of April this coming year.

This is one of, I think, three or four projects now we have to do based on AIR-21 dealing with noise.

This one is specific to helicopters, so I welcome your input. I hope you have a very productive day today in getting the facts, the information, the whatever that you have that you want to get to us--to our offices and put it together, working with our contractors and with our staff and come out with a report which hopefully satisfies not only the requirements of AIR-21 but satisfies the

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1 requirements of the public at large.
2 With that, I am just going to say thank
3 you for coming.
4 The facilities, if Sandy hasn't told you--
5 I see some of you have found that the cafeteria is
6 right behind you.
7 The rest facilities are right on the
8 passageway out here both on this level and down
9 below.
10 There is an escalator to the right side
11 over here and the elevator banks on either side on
12 either area of the center.
13 Obviously, you found one of those three or
14 you wouldn't be here, unless you took the stairs.
15 But, again, welcome to the building. If
16 you have questions after this, please feel free to
17 contact us.
18 Let us know what those concerns are. This
19 is not a closed deal with a one-day just today kind
20 of thing.
21 We are looking for this input--as much as
22 we can get--and as long as we can get them, we'll

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1 make sure that what we have is relevant to the
2 studies that we are doing, that we put out something
3 that is, in fact, credible and meets the requirement,
4 not only in the law but what the public is looking
5 for.
6 Thank you. Welcome. If you need me, I'll
7 be wandering around doing other business today.
8 I hope I will be able to come back before
9 the close. We will stay here until all your input
10 is, in effect, satisfied.
11 So, the close-off is your determination,
12 not ours. Thank you.
13 MR. LIU: Knowing that there are several
14 other people who were going to attend that are coming
15 on a later train, I'll just go through administration
16 issues.
17 With regard to the format, the point of
18 this again is to ask the public for some input.
19 We've already put out some Federal Register notices.
20 Paul said 64. That is what we see as of
21 Wednesday in the binders. There have been several
22 more that have floated in to the docket.

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1 What we are going to do is we are going to
2 continue to accept inputs within a reasonable time.
3 That time, I imagine that will linger up
4 to, within the next to close this calendar year.
5 We'll review those, incorporate any inputs
6 that come in, but, for the most part, we tried to
7 summarize today as much of the input, and I'll touch
8 on that later.
9 Let me go through some administration. As
10 we step through the format and continue on, we had
11 the first Workshop August 16th and will review
12 Comments 1 through 33.
13 We're going to pick it up from those 34
14 through 64 and ask the speakers, as we go through the
15 record, if they want to expound on it and come up
16 here.
17 If anybody wants to elaborate, please step
18 up to the podium unless you speak very strongly.
19 We are going to keep a record of the
20 transcript on comments made, so that we can roll
21 those up and summarize those and make those available
22 to publish as well.

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1 Just a quick summary.
2 (Slide.)
3 MR. LIU: As Paul mentioned, the cafeteria
4 is right outside on this floor. During lunch, we'll
5 take a break on the agenda.
6 There are a couple of places that you can
7 come out and grab a quick lunch. I've slated an hour
8 in there.
9 If we wrap up most of the information this
10 morning, then there may not be a need to come back.
11 But, note that this is slated to run from
12 8:30 to 5:00. That doesn't mean anybody off the
13 street. They can walk in and make a point or submit
14 a comment at that time.
15 If you are not here to refer to that, that
16 is okay, because it will be on the public record, so
17 don't feel that you need to stay throughout the whole
18 period.
19 Everything will be recorded for the public
20 record, lunch breaks is there. I want to welcome
21 everybody again.
22 This is about helicopters. It is a

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1 mandated study. I would like to just kind of -- we
2 had introductions of the audience that is here, but I
3 would like to make known the team involved in the
4 study, which is the FAA and the support staff.

5 I have Paul Schomer from the Scherer Lab
6 in Champaign, Illinois, if you want to step up and
7 talk about your background a little bit. I offer
8 that it is in the area of acoustics.

9 MR. SCHOMER: I'm Paul Schomer with the
10 U.S. Army Construction Engineering Research Staff in
11 Champaign.

12 Our laboratory has done all the
13 environmental noise research for the Army for the
14 last 30 years.

15 Anyway, during most of that time, I have
16 headed the group and have done a lot of work on sound
17 propagation and human response and our measurements
18 and monitoring.

19 A lot of that is related to helicopters,
20 one of the primary sources that we look at, the other
21 being gunfire.

22 That is not of too much interest here, but

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1 transportation.

2 MR. WILBY: John Wilby. I am an
3 independent consultant specializing in air acoustics.

4 I have done a lot of work in aircraft
5 noise prediction; also work in aircraft noise
6 specification, and I am an FAA-designated engineer.

7 MR. LIU: To give you a little background,
8 I have been doing helicopter noise analysis probably
9 for about 15 years.

10 I started in industry. I worked for Bell
11 Helicopter out of college--Syracuse University.

12 I got a degree in engineering and have had
13 a very broad background in the analysis of
14 helicopters.

15 I have worked at Ames Research Center. We
16 did a lot of source-noise evaluation, so this
17 opportunity, I feel, I am comfortable in the
18 background on a lot of the technical details trying
19 to iron out some of the problems.

20 We are trying to push the technology so
21 that it becomes quieter.

22 Working hard through the public and the

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1 we also look at explosive noise and gunfire noise as
2 some of our primary noise sources.

3 If you probably look in the literature,
4 you'll find several papers published from our
5 laboratory; in fact, many papers published dealing
6 with these topics.

7 MR. LIU: Joe de Pardo is my counterpart
8 on the airport side in AEE-100.

9 MR. DE PARDO: Joe de Pardo. I am sort of
10 Sandy's right-hand person on this project.

11 My background is more on the aircraft
12 performance side. I am involved with the FAA, which
13 being used for airport and helicopter noise.

14 MR. LIU: Chris?

15 MR. ROOF: My name is Chris Roof. I work
16 in multinational transportation systems.

17 We have an independent research
18 organization within the U.S. Department of
19 Transportation.

20 Our acoustic group works with all modes of
21 transportation doing noise work, modeling
22 measurements analysis of all aspects of

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1 communities, I feel that our staff and myself have a
2 reasonably strong background in attacking these
3 problems.

4 So, if there's any questions, don't
5 hesitate to ask them.

6 I'll do my best to answer them. I have
7 probably stalled enough. We'll go ahead and move
8 along here. We'll just march through this.

9 (Slide.)

10 MR. LIU: Of course, this has all been
11 addressed to this H.R. 1000, what we call Air 21, the
12 Wendell Ford Aviation Investment and Reform Act for
13 the 21st Century.

14 There is a subsection in there--Section
15 747--which Congress asked that we address.
16 nonmilitary helicopter noise, again with myself the
17 lead and Joe supporting me on that.

18 (Slide.)

19 MR. LIU: I wanted to just outline the
20 expectations. This is the charter of the FAA.

21 I am not going to run through the whole
22 thing, but what is highlighted is safety mission, and

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1 that is pre-eminent and requires the FAA to enforce
2 regulations and standards, protect the public travel
3 in aviation.

4 It is pretty clear that this is a broad
5 spectrum of activities required by the FAA certifying
6 aircraft before they are put into production.

7 It is a big agency with big
8 responsibilities, and that means everybody takes it
9 seriously.

10 So, let's make sure that everybody
11 understands that that is our charter. It is of major
12 importance.

13 Within that--noise is there--of course,
14 the issue of safety overrides and is foremost.

15 We'll be getting a lot of feedback on some
16 of the expectation. In rulemaking, things happen
17 right away.

18 Unfortunately, this is a long and complex
19 process.

20 (Slide.)

21 MR. LIU: It kind of puts us in a certain
22 situation. I like to use this chart, how we have to

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1 would support that we are doing a good balance of
2 commerce and environment and, of course, Federal
3 Codes.

4 I put this little guy back here. He is
5 basically what I consider legislative people.

6 They help us write the codes, and they
7 direct us, so we're being chased sometimes by them
8 and are mandated in this case.

9 But, at the same time, they support the
10 whole function of the FAA.

11 That is kind of to give you an
12 understanding there is no one side to this, this way
13 or that way.

14 We look at it and do the best we can to
15 analyze it, so that is kind of to clarify.

16 (Slide.)

17 MR. LIU: To get down to the heart of the
18 study, this is the legislative language that came
19 out.

20 We have some question on interpretation.
21 I just kind of did our quick summary in terms of how
22 we address this in the words in there.

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1 walk on this fence.

2 This is our role. We're really happy.
3 With the issue of safety, we have to carry that.

4 In walking this fence, it involves the
5 Federal Codes, which are Constitutional law, just to
6 try and clarify that.

7 Then, there are effects on both sides,
8 that we need to make sure there is a balance, one
9 being the environment, the other being commerce.

10 This is our charter, commerce operating
11 efficiently and the safety of the public.

12 With regard to commerce, we need to
13 evaluate economics, and, with regard to environment,
14 we have to evaluate technology.

15 Those two have to be balanced in order for
16 us to move forward. If there is an imbalance, then
17 we can't work in harmony.

18 Also, some aspects, we're burdened in some
19 aspects of the aviation system.

20 We do it the best we can to walk that
21 fence, indicate the balance, and to do the evaluation
22 that is necessary to come up with valid results that

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1 We pulled out those that pertain mostly of
2 importance to us as helicopter noise, densely
3 populated, which we have interpreted urban areas in
4 the United States.

5 Paul alluded to the fact--the sentiment
6 that it is a local-area problem.

7 Well, within the comments received to the
8 docket, they're actually broad. They're metropolitan
9 areas.

10 So, any one particular area. There is
11 also that same issue in other areas--urban areas.

12 So, if there is a benefit to be gained and
13 we can share this information throughout the country
14 so that the public can at least see some good come
15 out of the study--

16 Hopefully, everybody is aware that
17 education has been raised another level--a notch, so
18 that the support, whether it be legislation guides,
19 voluntary rules, things like that, will be the
20 outcome that we can all benefit from.

21 The focus within that paragraph, it talks,
22 and, if you really relate to FAA, it asks to address

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1 the Air Traffic Control issue noise abatement
2 efforts.

3 There is also the issue of a particular
4 utility, the function of police operations and law
5 enforcement.

6 That was something raised in our scoping
7 questions, that I broke out those functions.

8 Just in that regard, to give you an
9 understanding of what the sentiment is regarding law
10 enforcement, consideration of use and within the
11 whole process, we tried to take in as much
12 information as we can through our Federal notices.

13 We've been getting pinged on the back that
14 notices may not be the most streamlined process for
15 notifying the public.

16 But, that is the mechanism that we use
17 within FAA and the Federal Government.

18 For posting information, it is unfortunate
19 that everybody looks to that.

20 But, if you are in this sort of business
21 where we observed aviation--and that is probably a
22 good place to look--

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1 period after the last Workshop, which was August 16th
2 here in the FAA building.

3 It continues on to the comments received
4 in the docket, so those run from numbers 34 to 64 at
5 this point.

6 I have one copy here of the last meeting,
7 comments which run 1 through 33 and also what was
8 presented, hard copy.

9 They are not copies to the ones that you
10 review for now.

11 If you leave your name with me if you
12 require a copy-- I have been pushing to get this
13 posted on the Web site so people can click on all
14 these things that are being presented.

15 I'll check back this afternoon and let you
16 know whether the status of this is positive.

17 It should have been put out there sooner,
18 but we had some delays. That was from the previous
19 Workshop.

20 There's copies for you to take out in the
21 hall from this Workshop.

22 If you haven't signed in, please sign in

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1 It involves all concerned. The helicopter
2 industry, of course, needs to be involved as well as
3 the public and organizational groups.

4 Again, I'll apologize if we didn't get
5 information to those particular groups that addressed
6 this area.

7 But, we do the best we can. That is just
8 an outline of what was asked of us and our
9 interpretation of it.

10 Since we have some people that just
11 stepped in, I would like to welcome them.

12 We have kind of gone around and just
13 stated who we were, so we can kind of get familiar
14 with who is represented here.

15 (Introductions made.)

16 MR. LIU: Welcome. I am just ticking off
17 the information to kind of bring everybody up to
18 speed on the background of the study.

19 Let me make a couple of points. If you
20 haven't already picked up a binder, the binder is
21 outside in the hallway here at the entryway.

22 They basically contain comments from the

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1 so we have a clear record of who is here.

2 I'll ask the speakers when they come up
3 here-- I'll put a vu-graph and you can just sign
4 your name so we'll know who is speaking for our
5 recorder.

6 I think that is as much administration as
7 I want to go through. Let me continue with the
8 introduction.

9 If there's any questions, don't hesitate
10 to step up and ask them.

11 So, this is our mandate. How do we set up
12 the study process.

13 I don't know if you can see from back
14 there. It is kind of small, but I think it is also
15 in the printed material.

16 There's five boxes here. Each of them
17 represents an element of getting information, one
18 being technical number 1.

19 We asked the Department of Transportation,
20 requiring some data in urban areas that will support
21 our understanding of the source aspect.

22 You can use what we have, an INM, HNM

6 (Pages 18 to 21)

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1 model which we used to evaluate noise.

2 Primarily, it has been used for airplanes,
3 an evaluation of airport impacts.

4 But, again, we can also evaluate that with
5 modifications that represent a helicopter.

6 The second element here is basically--
7 You will notice that we put out Federal Register
8 calls.

9 We have asked that this be extended, and
10 we try to be as flexible as possible, because, again,
11 Paul alluded to that, that this was fast track in a
12 one-year time frame.

13 To get a report, there is a lot of
14 administration that we need to go through before the
15 report is blessed and out the door and reviewed by
16 administrators.

17 So, we wanted to make sure we got a head
18 start and really got on top of this.

19 So, we put out a public notice back in
20 June, and, at that time, the comment made was cutoff
21 the 24th because of the urgency.

22 Everybody expressed to me that they wanted

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1 now.

2 We have also notified scientists,
3 specialists in the field. We've given them a head up
4 of the direction we are moving and the concern the
5 public has about the noise made by helicopters.

6 This bullet right here tells how we are
7 going to pull up the Volpe analysis and put that into
8 the report, as well as the public comment.

9 Then, the mechanism is these Workshops.
10 We had the other one August 16th. We've gotten a
11 very good response from the industry, from the
12 public.

13 This would extend to that, focusing on
14 what their concerns are, so the results from today
15 will get rolled up.

16 So will the technical analysis that will
17 go to Congress by April, 2001.

18 Since I had that up there, I am going to
19 go ahead and let Chris kind of elaborate what is
20 involved in the technical aspect, just so everybody
21 is clear on what the supporting data and evaluation
22 is. Chris?

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1 more time. We extended that.

2 The second notice was September 15th. In
3 actuality, because it is necessarily a rulemaking
4 docket, I alluded that we'll accept comments, you
5 know, for accessible periods for this year.

6 We're going to try to close things up
7 prior to the end of this year in terms of our
8 analysis.

9 Then, we just need to document all that
10 information and get our hands around it, so we really
11 urge that anybody who is going to submit comments to
12 it do it immediately so that there is no chance that
13 it will be missed.

14 April 3rd is when the report is due. I am
15 going to require the whole beginning of next year
16 just to get that through the approval chain of FAA,
17 the Department of Transportation, and all those
18 administrative issues.

19 So, I just want to make that clear so
20 people understand that.

21 There is an urgency on submitting
22 information, and it should really come as quickly as

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1 (Slide.)

2 MR. ROOF: Good morning. As I said
3 earlier, my name is Chris Roof with the U.S.
4 Department of Transportation, the Volpe Center based
5 in Cambridge, Massachusetts.

6 Please let me know if you can't hear me or
7 if you have questions as they go. I'll be happy to
8 answer them.

9 As I said earlier, we are an independent
10 research branch within the U.S. Department of
11 Transportation working all modes of transportation
12 noise, measurement modeling and analysis.

13 So, as people have alluded to the
14 Helicopter Noise Model--HNM--and the Integrated Noise
15 Model--INM--earlier, those are models we developed.

16 (Slide.)

17 MR. ROOF: Now, one of the aspects of what
18 we have been doing is we decided we needed to go into
19 a typical urban environment within the United States.

20 I apologize for those who were here at the
21 last meeting, because some of this is redundant.

22 I'll try to go through this a little

7 (Pages 22 to 25)

1 faster.

2 We went down to New York, a typical urban
3 environment in the United States, and made
4 measurements.

5 We wanted to collect source-noise data for
6 the helicopters operating in that environment.

7 We went down during July, collected data
8 at both Liberty State Park, New Jersey, which is
9 directly across from New York as well as near one of
10 the downtown heliports within the city.

11 I noted two of them on here. This is
12 Liberty State Park, and that is the downtown
13 Manhattan heliport.

14 There are a couple of other heliports
15 within the city.

16 (Slide.)

17 MR. ROOF: During these measurements, we
18 collected acoustic data including real-time data via
19 sound level meters as well as digital audiotape for
20 archival purposes which enable to go back after the
21 fact and do any kind of analysis we felt might be
22 necessary.

1 In addition, we collected time/space
2 position information data tracking data of all the
3 aircraft we measured.

4 That enabled us to go and then correlate
5 all the acoustic data with real-life scenarios, if
6 you will, of the aircraft.

7 We also collected meteorological data to
8 help explain any aberrations in the data if there
9 were any after the fact.

10 (Slide.)

11 MR. ROOF: One of the places we collected
12 data was Liberty State Park, as I mentioned.

13 That is the area outlined here, very close
14 to Ellis Island and the Statue of Liberty.

15 What that afforded us was the ability to
16 collect significant amount of air tour data for
17 helicopters, people going down to fly over near the
18 Statue of Liberty and see that.

19 We also collected data from corporate
20 shuttles and, obviously, all the other transportation
21 noise sources.

22 (Slide.)

1 MR. ROOF: We collected a significant
2 number of data points while at Liberty including
3 multiple types of air helicopters, in particular.

4 We did get a considerably larger amount of
5 A Star helicopter data.

6 You can see we used that in a large
7 database to look at some various scenarios.

8 (Slide.)

9 MR. ROOF: In addition to the
10 measurements, in New Jersey we went to one of the
11 heliports downtown.

12 On this graph, you'll see the picture of
13 the helicopter there. This, in addition to the
14 overflight data we collected in new Jersey, this
15 enabled us to get more operations typical of that
16 near heliport approaches, takeoffs, hoverings, idles,
17 as well as fly-overs.

18 In addition to the helicopter data over
19 there, once again, indicative of the urban
20 environment, we collected data.

21 We witnessed ferries and all sorts of
22 other transportation noise sources as well as the

1 commercial overflights from the three major airports
2 in the area.

3 (Slide.)

4 MR. ROOF: Over the two days there, as I
5 said, we collected data from multiple types of
6 operations as well as for multiple aircraft again.

7 (Slide.)

8 MR. ROOF: The anticipated data reduction
9 and analysis for this would be production of noise
10 distance curves for the various aircraft in an urban
11 environment.

12 We have all sorts of this types of data in
13 our databases for modeling.

14 We wanted to see what, if any, were the
15 differences in these so we could more accurately
16 describe the noise in an urban environment.

17 We wanted to produce various types of
18 metrics, including both A-weighted, which is a
19 typical metric used for human response over time.

20 We also decided to look at C-weighting,
21 which has a little more low frequency and noise in
22 that respect.

1 We also wanted to combine the acoustic
2 data with the immunological data and the aircraft
3 tracking data, the time/space position data, to get a
4 real good feel for the beast we are looking at, in
5 particular.

6 (Slide.)

7 VOICE: Can we ask a question? I'm
8 surprised on that statement you made on the C-
9 weighting.

10 MR. ROOF: We just wanted to make sure we
11 investigated all possible scenarios and sources of
12 helicopter noise annoyance.

13 It has been suggested that A-weighting has
14 been used for many, many years, but, potentially,
15 that doesn't capture a lot of the effect that may be
16 created by the helicopter noise.

17 I don't want to put you on the spot, Paul,
18 but this is an area that Paul has worked a lot with
19 and is very familiar with.

20 VOICE: I understand that today, but it
21 was the statement that C did it--the implication that
22 C did whatever you said A wasn't doing.

1 You are taking a very analytical look at
2 one scenario. There are others.

3 Juneau is different. Hawaii is different
4 than the San Fernando Valley. Where are you going
5 with this?

6 MR. ROOF: As Sandy and Paul said earlier,
7 this is an urban helicopter noise study that is
8 supposed of urban areas throughout the United States.

9 We have taken New York, one, because it is
10 close to us and it is cheaper to collect source data
11 there.

12 It is a typical urban environment. We
13 also got several very ideal locations there, which--
14 for various reasons which I won't go into now.

15 You provided a very good segue for about
16 three slides from now. How can we then take the
17 source data from New York and extrapolate it out to
18 other environments.

19 I'll get there. I promise.

20 (Slide.)

21 MR. ROOF: Just to give you an idea of a
22 limited amount of the data that we got, as I said we

1 MR. ROOF: It was just presented that
2 there is a potential that A-weighting might not
3 capture the human annoyance effect.

4 Maybe C does. I'm sorry if I misstated
5 that. Does that make sense?

6 VOICE: Maybe.

7 (Laughter.)

8 MR. ROOF: In general, our approach has
9 been we want to as flexible and as open as possible,
10 not necessarily go with an analysis method, let's
11 step back and be able to do whatever we need to after
12 the fact, given what we see in the data and the
13 public comments that we get from forms such as this.

14 VOICE: Chris, I know you are doing a lot
15 of work on the New York situation.

16 We are from the Van Nuys Airport area.
17 Are you in any way going to try to extrapolate your
18 findings from the New York environment to the San
19 Fernando valley, because we have an egregious
20 situation?

21 I am not sure they are comparable. What
22 are your intentions?

1 got a lot of A Star data from New York.

2 This is just an example of maximum sound
3 level versus distance.

4 As one might expect, as the distance, in
5 this case slant range, increases, your sound level
6 decreases.

7 This is nothing ground-breaking. It is
8 just a check for us.

9 It's just to make sure our data is good
10 and is relevant and we go from there. Another sanity
11 check, if you will.

12 VOICE: Does that imply that it was slow
13 or something?

14 MR. ROOF: This slows down--

15 VOICE: This is a new Volpe-introduced --

16 MR. ROOF: This is actually per ANSI
17 standards--A-rated slow scale maximum locus.

18 MR. SCHOMER: Look at ISO 1996. You'll
19 find that.

20 VOICE: Much like that, yes.

21 VOICE: A slightly less technical
22 question.

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1 When you're talking about measuring mid-
2 Manhattan or New Jersey, the study asks for the
3 impact on individuals.

4 When you say you were in downtown
5 Manhattan, what lengths did you go to to ensure that
6 we are recording from an environment that was
7 analogous to where the individuals spend their time,
8 say an apartment on the street? Were the recordings
9 on top of buildings or --

10 MR. ROOF: Well, you guys are providing
11 great segues. That was my last slide.

12 I'll talk more about that. I'll give you
13 a little more insight.

14 We do this in an urban setting. That one
15 graph I showed you is from our acousticians', if you
16 will, point of view.

17 That was the cleanest of all data. There
18 wasn't somebody screaming next to our microphone when
19 the helicopter is flying.

20 But, that is just do we can make sure we
21 have data that makes sense.

22 We do have all sorts of very urban-like

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1 annoyance and other things around the country and the
2 world.

3 What you see here is the two top curves
4 are two data points that we collected--in New York,
5 the urban environment.

6 The lower curve is that from our database.
7 They're pretty close.

8 We see a three-, four-, to five-decibel
9 difference.

10 Without getting too technical, I'll just
11 say that that is likely attributable so that that can
12 be measured over water.

13 The models work with acoustically soft
14 surfaces. If you are interested in that, I'll be
15 glad to talk to you more about that afterwards, but I
16 don't want to.

17 VOICE: What is the significance of the
18 160 knots?

19 MR. ROOF: That is the reference speed
20 used, so we wanted to be comfortable.

21 VOICE: You adjusted the A Star speed to
22 160 knots even though an A Star can't go 160?

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1 environment data, and I'll tell you a little bit more
2 about what we will do shortly related to that, too.

3 (Slide.)

4 MR. ROOF: A different noise metric, if
5 you will, way of describing noise. This is sound
6 exposure level.

7 What it is is a representation of the
8 total energy in a given event.

9 Once again, as the distance increases, we
10 say see the sound exposure level or LAE decrease.

11 That is just an A-weighted exposure base
12 level metric. That's the AE.

13 I'm not trying to inundate you with all
14 sorts of technical information here, but I just
15 wanted to show you that there is that behind the
16 scenes as to what we are doing here.

17 (Slide.)

18 MR. ROOF: What we did do, the HNM--the
19 Helicopter Noise Model--that we've run, what we did
20 was take two events, propagated them out over a range
21 of distances, and then plotted that versus what we
22 have in our noise models used for predicting

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1 MR. ROOF: Sure. In the heliport noise
2 model, all the helicopters are referenced to 160
3 knots. It's just standard.

4 (Slide.)

5 MR. ROOF: What you saw was a very good
6 agreement about how it is modeled and what we
7 actually measured.

8 That was yet another sanity check. What
9 this is--I promise the last very technical graphic--
10 spectral data.

11 What you see is frequency low to high
12 versus sound level.

13 Once again, we compared -- the black,
14 bolder line is a spectrum from our heliport noise
15 model with several spectra from events we measured
16 there.

17 What you see there is very good
18 measurement. This one difference jumps at us.

19 Once again, I attribute that to accessed
20 soft-ground attenuation, which is inherent in the
21 model.

22 So, from our perspective, what this really

10 (Pages 34 to 37)

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1 tells us is that we have good, reasonable data, and
2 now we can go forward with what you all really want
3 to hear about, not numbers and data but hoe this will
4 help us explain and hopefully mitigate urban
5 helicopter noise.

6 So, now, I'll just get on to the fun
7 stuff.

8 (Slide.)

9 MR. ROOF: This is the last of our real
10 detailed graphics, but this really gets to the heart
11 of what we want to do here.

12 What this is, using the sound exposure
13 level, one of the metrics I showed you before, which
14 is the energy of a given event, if you look at change
15 in helicopter altitude and distance away--lateral
16 distance away from helicopter and you have helicopter
17 operating, you can get different sound levels, the
18 idea being--

19 Well, let me jump back one second.

20 When you have a noise problem, there is a
21 noise source, a receiver of that noise, and then
22 propagation of that noise from the source to the

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1 So, how one might then directly apply
2 that--

3 (Slide.)

4 MR. ROOF: --this is the microphone. If
5 it wasn't obvious, I'm sorry. I don't have a lot of
6 graphic capabilities.

7 We looked at the change in scenario. This
8 is just something typical in New York, for instance.

9 We saw several aircraft operating relative
10 to where we were measuring and one of our measurement
11 locations.

12 So, it is all arbitrary. This is a point
13 of how one might feel the approach to this problem.

14 We saw aircraft flying at about 800 feet,
15 about a thousand feet from our microphone or from us,
16 the listeners.

17 That happened to have in this case an 87
18 dB sound level. The number itself is arbitrary for
19 this exercise, because then what we want to do is
20 say, if we've put the helicopter twice as high, how
21 does that affect the noise level?

22 Or, we move it twice as far laterally away

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1 receiver.

2 If you want to make a defect of that, one
3 can look at the noise source, make it quieter, make
4 it nonexistent.

5 I won't go into that. One can look at the
6 noise receiver--the receiver of that noise--a person.

7 You could put ear plugs if everybody
8 wanted to do that in New York or elsewhere or put
9 them in buildings with really thick walls, just for
10 instance.

11 Or, one could can look at the propagation
12 path between the source and the receiver.

13 What this is is our attempt to look at
14 various scenarios of how we can help to mitigate this
15 noise through the propagation path--what this is.

16 So, then, you can look at various changes
17 in aircraft altitude versus various changes in
18 literal distance from the aircraft and look at how
19 one might be able to help the problem, or, likewise,
20 hurt the problem, depending on the scenario.

21 That is just a representation of the data
22 from one aircraft used in that scenario.

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1 from us, how does that affect noise level?

2 By going through an infinite number,
3 obviously--do this in an infinite number of ways, you
4 could change your propagation path, how one might be
5 able to affect the sound level that people are
6 exposed to.

7 This is just literally one quick example
8 of how one could look at it of one helicopter, one
9 data point.

10 But, it is an idea, when one goes to look
11 at a different urban environment, how one might be
12 able to address the issue.

13 VOICE: It's been awhile since I ran one
14 of your earlier runs.

15 But, is there anywhere in here a
16 compensation for time of day?

17 Like the TNEL, it seems to me, in terms of
18 effectiveness in terms of the end user, what it does
19 to that person on the ground, all of this, that is
20 6:00 a.m. helicopter flights that wake someone up.

21 Or, when you're dozing off at 11:00
22 o'clock, it is significantly more distressing than

<p>Page 42</p> <p>1 whether you are 500 or 1000 feet away. Are you 2 compensating for that? 3 MR. ROOF: First, let me say that is 4 certainly one of the types of comments that Sandy has 5 gotten from the public and people all around the 6 country. 7 It is certainly one of the issues we're 8 looking at. 9 VOICE: I take it you have included that 10 in your model? 11 MR. ROOF: In this example analysis, this 12 is a single-event analysis, so time of day is 13 irrelevant. 14 It is just for demonstration purposes, but 15 that is certainly one of the types of comments that 16 we've gotten one, if not several of, how to look at 17 the change in times of day of operations. 18 VOICE: It makes a big difference if 19 people are out there with their car and stereos when 20 the helicopter goes over versus when you're dozing 21 off. 22 MR. ROOF: Sure. That is an example of</p>	<p>Page 44</p> <p>1 beneficial, more importantly, to this process. 2 As Sandy described, we've had a continuous 3 public input, and that's, I guess, been extended a 4 little bit, but it is coming to a close shortly. 5 We've also been in contact and will 6 continue to be with Air Traffic Control as well as 7 with industry, both manufacturers and operators. 8 We had a comment last time from 9 Whisperjet, which is one of the type of technologies 10 available. 11 We also plan on looking at other means for 12 noise reduction. 13 This is just one example I presented about 14 the change in propagation path. 15 I have actually been in contact with Joy 16 Held who was here at the meeting last time. 17 You provided the segue, but it is a little 18 bit too early for me. 19 We're doing some measurements hopefully in 20 the next couple of weeks, actually in New York City. 21 What we plan on doing is she has several 22 prospective apartments for us to use. We'll do it on</p>
<p>Page 43</p> <p>1 one way of looking at possible mitigating measures 2 for urban environment scenarios. 3 I should say, you mentioned the use of 4 HNM. 5 Because we have more modern research 6 versions of the Integrated Noise Models, I actually 7 used that in this scenario, because it enabled me to 8 propagate the sound levels over acoustically hard 9 surfaces. 10 That was just for this scenario, which may 11 be more representative of an urban environment-- 12 buildings, asphalt. 13 Just a way of making the analysis a little 14 bit more applicable to our situation we're looking 15 at. 16 (Slide.) 17 MR. ROOF: So, from this one aspect of 18 this whole study, what's next? 19 That is an example of a noise sensitivity 20 analysis that we can do. 21 We can do an infinite number of those. We 22 want to look at what is practical and what is</p>	<p>Page 45</p> <p>1 a terrace, do a measurement outside, collect data 2 similar to what we've done in the past. 3 It will be a little different in that 4 less-controlled environment, as well as a microphone 5 inside the apartment and look at what we have there. 6 VOICE: I have to say, Chris-- I don't 7 want to interrupt, but Joy's environment is very 8 unique. 9 You've got the East River. You've got 10 tall hard surfaces in buildings and a very different 11 kind of operation than the San Fernando Valley where 12 we start out with every news media helicopter that 13 goes up to the Sacramento new bureau. 14 We don't have a river running nearby. 15 There aren't tall buildings. They're hillside 16 slopes. 17 So, I guess I'll put this part in the 18 public comment. It is important not to get too 19 fixated on a single environment. 20 They're so different. They all have the 21 same common denominator. 22 MR. ROOF: I agree wholeheartedly, and</p>

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1 that is why, even though we did our measurements in
2 New York, we've tried to make it as generic as
3 possible to incorporate into our most sophisticated
4 noise models and most current versions, such that
5 they'll be applicable to a wide variety of scenarios.

6 VOICE: You may want to do some analysis
7 out in Los Angeles. It's a lot warmer there in
8 November.

9 (Laughter.)

10 MR. ROOF: Sure, from my perspective--
11 From this program's perspective, we obviously have a
12 finite time, finite budget, and at least a short-term
13 goal of this report.

14 Obviously, we hope to make an impact on
15 the urban noise.

16 We just have to be able to truly
17 accomplish something in this finite amount of time.

18 That is it from my perspective. Any other
19 questions?

20 VOICE: I'm from New York, but I am also
21 concerned. This is applicable to wilderness areas,
22 too, or this is only urban environments?

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1 There is certainly that consideration that
2 you capture the bounds and the noise.

3 That is why we saw a rise in the level.
4 This urbanization influences the noise, so we're
5 developing it as a capable tool that we can run
6 analysis and run it to work with issues on Air
7 Traffic Control and get a warm sense that we are
8 moving in the right direction.

9 With regard to function, I can probably
10 answer some more of that in the comments than I can
11 in the analysis.

12 Let me get to that as we step through
13 this.

14 VOICE: The reason I ask the question now
15 is because I got the sense--

16 I forgot who from FAA attended the last
17 Workshop, but somebody said that the data you
18 acquired would allow you, perhaps, to go back and
19 figure out who is operating which helicopter.

20 I don't know, but one of the concerns that
21 we have--or one of the suggestions we have, which
22 I'll discuss a little bit when it is my turn, is that

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1 MR. ROOF: The focus of the study-- This
2 is a focus on urban helicopter noise.

3 VOICE. Chris, I asked you this question
4 last time.

5 I think it is really a question for Sandy
6 in doing your measurements.

7 You did not differentiate among operator
8 categories.

9 MR. LIU: I think we flagged certain
10 operations when we knew what they were.

11 We haven't differentiated, because we're
12 really looking at the source.

13 Typical helicopter in an American
14 environment, to kind of answer your question, in the
15 spectrum of noise, this, to me, I consider a very
16 worst case.

17 We've got all this urbanization--
18 buildings, walls, things like that.

19 As you start to step away into the other
20 what I'll call clean environment, like what we
21 require in certification basically out in the field,
22 soft terrain, somewhere in between.

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1 there is a distinction in perception of irritation
2 from noise, depending upon what the function of the
3 helicopter operation is.

4 So, I was wondering whether your data
5 allows you to take that differentiation.

6 MR. LIU: I don't think this data
7 indicates that, and it won't in terms of the
8 differences in levels.

9 One can say that this is a helicopter.
10 That point is not here. This is a sore space. The
11 interpretation basis, which is a response down at an
12 observer, that is a more subjective thing. That's
13 not there.

14 VOICE: Before you leave that, that is a
15 very important point. I don't know this lady,
16 whether you are industry or not.

17 But, if a siren goes down the street with
18 red lights flashing, people are much more forgiving
19 than a motorcycle without a muffler.

20 It has been suggested somewhere in your
21 comments that there ought to be some kind of marker
22 or beacon, or something of that sort, that indicates

1 that this is like a crucial flight, an emergency
2 flight, a police requirement.
3 This is very important for that person on
4 the ground to be able to recognize and not to go look
5 at the end numbers and look it up on the Web.

6 That is very critical to bringing up, and
7 that is the purpose.

8 If it is a sightseeing operation, it is
9 not to say that they shouldn't be there, but there is
10 a big difference of annoyance level, I can tell you,
11 when the multiple helicopters going out are creating
12 tourist flights than if there is a lifeguard of blue
13 beacons or something like that ought to be available
14 when you put that in your mix of your
15 recommendations.

16 MR. LIU: I think, as we step through
17 this, you'll see what some of the conclusions of the
18 public input are.

19 In fact, they go that direction. We do
20 indicate that there is an acceptability of that
21 service.

22 I go back to that, and that is where we'll

1 opinions and emphasize those issues that may not have
2 been submitted in the written format.

3 I promised this last time. The Web site
4 should have comments from the last two Workshops and,
5 in fact, some of the discussions I am going to
6 present today.

7 It should have a transcript from the last
8 Workshop as well that you can access, so I'll confirm
9 that that is there by this afternoon. I'm going to
10 check with our Web site administrator.

11 But, that will hopefully be there for the
12 rest of the process so you can keep up to date on the
13 status that will turn out some information we've
14 posted on there in regard to summaries and
15 information results from this Workshop, transcripts,
16 and any other public comment to the docket.

17 So, that is going to be ongoing.

18 (Slide.)

19 MR. LIU: As part of that we did post-
20 scoping questions, and we were criticized for the
21 fact that a lot of people we didn't cover enough of
22 the issues, which is fine.

1 go back and go through my list of preliminary summary
2 of all the issues and understand that.

3 MR. ROOF: Any other questions for me?
4 (No response.)

5 MR. ROOF: Thank you very much.

6 MR. LIU: Thank you, Chris. Again, the
7 modeling is a tool to help us to understand some of
8 the associations with aircraft control.

9 One of the most important parameters is
10 altitude. That is what designates some of the
11 regulations and operations.

12 So, that really is an important element
13 for us to be able to fall back on assessing noise.

14 Let me just close it at that. That is
15 just an element of our process establishing data that
16 we have confidence in that we can fall back on for
17 our analysis.

18 (Slide.)

19 MR. LIU: Those are the elements again.
20 I'm going to just quickly run through this.

21 Inputs are most important. These
22 Workshops, again, are opportunities to voice those

1 I was trying to focus on some of the
2 aspects that are important to the FAA.

3 One of those was understanding what
4 elements or function were concerned, because
5 everybody is aware that there's issues regarding
6 helicopters in the Grand Canyon and sightseeing.

7 For us to do a good job, you need to
8 understand is there an element of that that
9 differentiates, like Irene was mentioning, public
10 service.

11 For some reason, humanistically we are
12 more forgiving if it serves that function.

13 That was what my intent was on the scope
14 of the question, although I am happy people
15 elaborated more and spoke on the questions.

16 They gave us their response in terms of
17 sentiment and impact to them.

18 So, those are the questions. In a
19 preliminary sense, given the comments, I was able to
20 kind of tableize--separate some of the functions and
21 how our team perceives some of the effects of that.

22 (Slide.)

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1 MR. LIU: And I just try to summarize them
2 here.

3 I won't say everybody within the Congress
4 but I'll say a majority are willing to accept the
5 fact that the annoyance that proceeds was also
6 acceptable, assuming that they were doing public
7 service.

8 There was also criticism of the fact that
9 maybe they were just doing training flights.

10 Training, being a part of making sure that
11 flight is safe, is probably a necessary thing.

12 If you want a helicopter to respond to
13 your emergency, you want to make sure that pilot is
14 trained and well certified.

15 That is a gray area, but, for the most
16 part, the sentiment came back that they would accept
17 a level of annoyance, assuming that they are serving
18 a public good.

19 That is why I kind of blocked out this
20 area.

21 Talk about law enforcement, fire,
22 emergency medical services, that came out, and that

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1 kind of give a quick summary of some of the attitudes
2 and relationships that were established from the
3 scoping question as far as responses that came back
4 about reductions on AEC procedures.

5 Ultimately, a good chunk of them offered
6 high altitude and rerouting and how that leads to the
7 functions.

8 I kind of made that association here.

9 Some people ask that they limit--I think, limiting
10 the air space with regard to hover--how long can they
11 hover?

12 Then, of course, I think understanding--
13 and Chris has alluded to that--if you push operations
14 higher into the air, the levels come down.

15 So, that annoyance level also drops off.
16 That was just, again, a result of some of the scoping
17 questions.

18 Operation impact, again, if you were to
19 impose or ask that maybe this issue of high altitude
20 defines--

21 Well, there's impact on the operators
22 themselves. They might be gathering news, which is

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1 was visible from the review comments.

2 Meter an issue of high annoyance and label
3 that, some of that associated with what they call
4 misfeasance -- although they were doing something
5 legal or right, they're allowed to fly in the air
6 space--the interpretation of that--that they were
7 really breaking the law.

8 So, we'll go into some of those what I
9 call psycho-acoustic, socio-acoustic elements.

10 I'll mention that--some of the factors
11 behind that.

12 Hiking tours and electronic news-gathering
13 seemed to be the hottest of the functions in terms of
14 people's response in your comments.

15 They felt, because electronic news-
16 gathering is basically a very flexible and dynamic
17 activity, it lends itself to lots of hovering, I
18 guess, in some cases, and operations between early
19 and late evening.

20 It's those factors that were perceived as
21 very negative within the comments.

22 So, I just wanted to point those out and

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1 their function, and you might limit passenger views
2 and you might limit training.

3 As I said, if people understood that they
4 were providing a service, offering an emergency
5 response, it was acceptable.

6 But, training is one of those gray areas.
7 In order to support that function, you probably have
8 to have training.

9 That will take some time. Extended flight
10 time, when we talk about rerouting, the last Workshop
11 expressed that they do--in the eastern region they
12 pay--I wouldn't call it a penalty, but they extend
13 themselves a little bit more in order to satisfy a
14 need of the public--extended flight time, rewriting
15 more operational costs, things like that.

16 That covers that element of the scoping
17 question.

18 The last one--we've opened it up--we asked
19 for solutions.

20 This is just a short association of the
21 function, but I'll go into the whole list of
22 responses we get from the public and industry.

1 We can go over that to assure that nothing
2 is missed basically.
3 That was at the last Workshop. I am
4 trying to cover that we didn't overlook something or
5 an element of importance to you--pool usage of this
6 operation.
7 We talked about circling duration, an
8 issue that is in some ways in our realm is quiet
9 technology, fostering that direction in industry.
10 VOICE: And how are you finding commuter,
11 because commuter normally lends itself to scheduled
12 air service, but I'm getting the idea here--
13 MR. LIU: It doesn't have to be totally
14 scheduled.
15 I am interpreting it moving passengers to
16 get to the plane, transportation.
17 VOICE: Were the industry responses
18 collated into this?
19 I don't see anything about the IFR stuff
20 that we talked about, preferred routing, or dedicated
21 helicopter routes.
22 It looks like this is all public comment--

1 community comment stuff.
2 MR. LIU: Right.
3 VOICE: So industry really isn't in this
4 chart?
5 MR. LIU: This is the sentiment that has
6 been called out from the public.
7 VOICE: Before you go on, shouldn't
8 industry comment be in there?
9 MR. LIU: There is industry comment
10 VOICE: And with respect to your
11 electronic news-gathering, was there much comment
12 with respect to redundancy, that is, one helicopter
13 versus something called the OJ effect in LA--up to 17
14 helicopters.
15 It might not be so bad with one helicopter
16 at 2000 feet versus 17 of them.
17 MR. LIU: I tried to differentiate where
18 the solution might have been pooling of usage to
19 avoid minimizing the numbers.
20 I don't have everything on here. I just
21 attached what jumped out at me in terms of some of
22 the association.

1 If I overlooked some, it is because I have
2 a more complete list not necessarily by function.
3 The one that really comes out in mind here
4 is that there is an acceptance when it comes out of
5 public service.
6 These are the ones that are a little bit
7 more difficult to understand.
8 VOICE: What was the number of responses?
9 When you look at a table like this, you can have
10 12,000.
11 Or, you can have 12. People and you help
12 you draw the conclusions, and you feel that this is
13 statistically significant that we can look at a chart
14 and say that, for at least 30 people, this is truly
15 reflective. What was your end with this?
16 MR. LIU: Right now, it is 70 total to the
17 docket.
18 There's ones which are pro, you know, that
19 really feel that there isn't a problem.
20 So, the numbers might go down slightly--65
21 responses.
22 Some of them from offices of politicians

1 represent a constituency--a large population of
2 people as well, and hence reflects their sentiment.
3 So, N is a funny thing, and it gives you
4 an idea of some of the detailed information which I
5 need to understand to get a handle on it.
6 VOICE: I wasn't trying to suggest that a
7 small N was necessarily bad. I was more interested
8 in the quality of the N.
9 Were those, in fact, representative? You
10 can have an N of 6 to represent the United States, as
11 long as they're truly representative.
12 MR. LIU: I'm trying to remember the
13 breakout--I mean, how the concentration was in New
14 York of the last 30.
15 I'd say 25 were from New York. They
16 notified the people that needed to respond to this
17 and to submit their input.
18 That doesn't mean there are other areas
19 that recognize or feel that they have an issue--
20 Hawaii, Juneau, Alaska, Las Vegas, Portland,
21 certainly California. They were well represented.
22 MR. SCHOMER: San Diego.

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1 MR. LIU: To me, it covers a fairly broad
2 spectrum.

3 VOICE: The thing is to follow the
4 examples.

5 MR. LIU: I'd say it is representative of
6 identified concerns.

7 That is what the scope of this was. If it
8 is just one area, it may not be, but there is
9 certainly an issue.

10 VOICE: I wouldn't be happy seeing a
11 report to Congress and then saying, well, how many
12 comments--73 people commented and then we have all
13 these promulgations of rule changes.

14 MR. LIU: You've got to remember, when
15 this started, it started from a legislative mandate.

16 That was, I'm sure, due to pressure from
17 constituents within a larger population.

18 So, it kind of funneled back to us to look
19 at the technical details.

20 I think some of the understanding as far
21 as how big Ns are, and things like that, obviously
22 were enough that this legislation was even put in

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1 to the best of our ability as we can.

2 It is a matter of how do we accomplish
3 this. It's ways that you operate.

4 It's technology advancements, that type of
5 thing. That is where we are really trying to come--
6 is a logical method that does it in a timely manner
7 and relieves the impact.

8 So, I don't think anybody is going to sit
9 here, certainly not industry from their point, and
10 say we're not interested in mitigating the noise. We
11 all are.

12 MR. ROOF: Sandy, if I may, one of the
13 things I talked about was source noise--the receiving
14 end of the propagation path.

15 There's been several programs involved--
16 the FAA and NASA over many years and various type of
17 induction for helicopter and other aircraft source
18 noise.

19 It's also likewise been studies about
20 propagation. We're just trying to put it all
21 together and, in this case in particular, look at it
22 in an urban environment as the focus of it.

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1 place, so that's kind of a catch there. We're just
2 responding to what was asked.

3 VOICE: Sandy, for many of the letters
4 from elected officials through the binder, I didn't
5 see any.

6 Did you receive any letters from elected
7 officials who were in support of or not in favor of
8 putting restrictions to minimize noise impacts?

9 MR. LIU: Not in favor?

10 VOICE: In other words, people that would
11 not support noise mitigation--noise reduction
12 measures?

13 MR. LIU: I don't recall any.

14 VOICE: All the elected officials that you
15 recall receiving input from were from mitigating--

16 MR. LIU: As far as I can read it, that is
17 not absolutely true.

18 VOICE: I think a better way to say that,
19 I don't think anybody including industry doesn't want
20 to mitigate the noise.

21 That would be just foolish. The industry
22 is just as strongly motivated to try to mitigate it

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1 VOICE: We're looking for meaningful
2 restrictions that are in place and that are solid and
3 that aren't voluntary.

4 At least, in my community in California, I
5 can't think of one politician--elected official in
6 any of my local governments up to the state
7 legislature that would not support something, say, a
8 thousand-foot minimum AGL.

9 There's not one that I can think of.

10 There may be one somewhere, but I don't know who it
11 is.

12 VOICE: Does industry want noise
13 mitigation so much that they would like regulations
14 and legislation?

15 Or, is it only industry only wants it done
16 voluntarily?

17 VOICE: Obviously our main focus would be
18 to try to work to bring about a voluntary program
19 with the community.

20 I understand what you are saying. That
21 gives you no guarantee long-term.

22 We know that, but we think the programs

17 (Pages 62 to 65)

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1 that we have have worked well.

2 They're not perfect by any stretch of any
3 imaginations, and there's still some holes that we
4 have to fill.

5 But, when you start talking about
6 regulatory, it sounds nice just to make a flat
7 statement: A thousand feet ATL. Nobody goes below
8 that.

9 But, then, you've got a lot of things to
10 consider as to what mission helicopters are on, the
11 heliports they're operating to and from, whether an
12 addition is air traffic.

13 When you take a look at the air space
14 overlay in New York City, it is horrendous.

15 It is unbelievable what they have to do in
16 layers, and we would like at times to be higher than
17 we are.

18 We don't have that ability because of the
19 traffic that's above us--an ATCS to keep us down.

20 So, sure, we'd like to request 1500 feet--
21 2000. Yes, we would.

22 Sometimes we can't get it. It is not as

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1 have this meeting today.

2 That is where I think industry has to take
3 a serious look at going beyond this position, well,
4 we'll deal with this voluntarily, because, at some
5 point, if voluntary doesn't work, then pressure from
6 all sides, from elected officials, in particular, are
7 going to bring more ruling than is beneficial for
8 everybody.

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1 simple as saying: A thousand feet, that's the rule.

2 You have to have some understanding of
3 what the complexities are.

4 Should we strive for higher altitude at
5 all times?

6 What we are doing is we're trying our best
7 to give you an example.

8 The program that we have now is Fly 2000.
9 We're trying to focus everybody not at a thousand to
10 get everybody to 2000 feet, whatever possible.

11 But, it is not a perfect world. We
12 understand that.

13 So, we're not just sitting here and saying
14 there's one regulation that's going to solve
15 everybody's problem. I don't believe that.

16 VOICE: I don't think the community is
17 saying that, either.

18 I've been working on this for five years.
19 We know the complexities. Our laws can be complex.
20 Regulations can be complex.

21 VOICE: But, by the same token, if Fly
22 Friendly was very effective, we probably wouldn't

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1 VOICE: A thousand AGL was our original
2 proposal and that was slowing down.

3 VOICE: That's ridiculous; we can't do
4 that. Well, now we've changed our position to 1,500
5 at a minimum. So, I am saying there would have to be
6 some agreement of how regulation changes like we have
7 that I think will ward off further, more egregious
8 trouble.

9 VOICE: We don't disagree with you. We
10 know there is a potential reality and that's
11 basically something that we are well aware of.

12 VOICE: I want to be productive. We need
13 to come up with some meaningful regulation which
14 would be very constructive for the industry. We
15 could all get together and agree on some kinds of
16 proposals or proposals that were binding which would
17 follow along with a voluntary program, you know.

18 You pick the place and I'm going to do it.
19 But if that's not effective at a given point so many
20 years out or however you want to measure,
21 automatically you trigger the next phase. It's a
22 very practical way to deal with this. Give the

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1 industry a free hand for X-years, but there has to be
2 a measurable outcome. If those goals are not
3 achieved, that automatically triggers the next phase
4 like Phase II and Phase III.

5 VOICE: I think you're right. That's why
6 I think this table does need to reflect some of the
7 things which starts reflecting their way. You've got
8 -- you haven't really focused on the part of the
9 industry by the ATC and IFR capabilities. It's not
10 reflected.

11 I would also suggest you don't use that
12 word commuter because that's including a lot of
13 people. I would use corporate for something like
14 that.

15 VOICE: It is exactly what it means to the
16 average person and the industry as well. As you say
17 commuter, it's a scheduled air service.

18 VOICE: It's a regulatory term.

19 VOICE: Absolutely.

20 VOICE: Coming from the FAA --

21 VOICE: I think we are all struggling with
22 the same issue. In a lot of areas you don't have the

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1 river ways and things like that as opposed to
2 commercial making a definition of where to go.

3 MR. LIU: I'll make note to update this
4 chart.

5 (Slide.)

6 MR. LIU: What I'll do is I'll just run
7 through the preliminary issues from the comments.
8 Then we will go to the actual comments, and this is
9 where we can finish out that aspect after what I have
10 to say. If anybody has to leave by lunch, they will
11 have heard at least what we've heard to date which
12 will have their colleagues' preliminary issues.

13 They talked about IMPACT, the effect right
14 away from the beginning. Everybody is saying the
15 direction wasn't all there. In essence, when you
16 collect the comments of the sponsors, they are the
17 effects that people responded to or how it was
18 interpreted or submitted. So, I kind of went back
19 and kind of tried to pull out all the factors that
20 needed to be understood. I am asking basically your
21 blessing that we have covered this, some of these
22 factors; that there is nothing missing.

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1 capability to underestimate the decision to get out
2 there.

3 VOICE: DVS is changing a lot of the
4 aircraft in our area. It's got more money invested
5 in the gear than in the aircraft.

6 VOICE: The technology is there but the
7 system that responds to it is not there.

8 VOICE: That's something that we may need
9 a recommendation from the FAA in these critical urban
10 centers, some DVS sort of mechanism saying you can
11 fly specific routes.

12 VOICE: We're doing that DPR --

13 VOICE: The visual reference of the FAA is
14 to take the easy route. We'll declare all the
15 freeways in Southern California, put them on the
16 helicopter map and now we've solved the problem
17 because they go over the freeways. Of course, in all
18 honesty you would want to go over the center line but
19 would go three, four or five blocks north and south
20 which goes over the residential population.

21 Clearly there needs to be a more critical
22 look at what's on the ground, industrial areas and

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1 I categorized the socio-acoustic responses
2 by individuals. A fair percentage came back
3 basically responding this way. They felt their sleep
4 was disturbed, delaying of sleep, and all the aspects
5 of their reactions, startling surprise,
6 concentration, attention because loss of attention
7 due to an overflight. It was all due to these deep
8 emotions being human that we respond to and how we
9 interpret things like basic function.

10 There is no straight, hard and fast rule
11 on this. Annoyance is a tough one to nail down in a
12 technical sense. We get percentages of response. We
13 always have fringes that people are more sensitive
14 and that kind of concept out here. When you talk
15 about human sensitivity, not everyone may fall into
16 the exact norm. So, it is a higher sensitivity; then
17 again that is a small population but they do need to
18 be recognized.

19 That's why I put it in there in terms of
20 stimulus factors, physical issues like vibration is
21 an outcome that is seeking a response by individuals
22 in the issue of environment. That is really

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1 something that we need to nail down because we are
2 talking urban here. Dave is looking for less-urban
3 areas like the Grand Canyon, like a whole different
4 area.

5 That's a whole different scenario but it
6 needs to be included and understood. So, these are
7 factors that influence a perception of the noise and
8 the response that people have submitted, the ability
9 to control situations, present state of mind in terms
10 of activity. Sometimes you perceive it differently
11 because they are just focused on something else. It
12 varies so widely that it is difficult to grasp.

13 VOICE: The reverse could also be true.
14 You can be engaged in a very thoughtful process, and
15 these intrusions could cause an overreaction. I've
16 found that in a number of occasions.

17 MR. LIU: Absolutely. That's what's hard
18 to quantify because that instinct could be a
19 different response on a different day. So, those
20 issues are harder to nail down as hard fact. We
21 recognize that and we understand that. We take that
22 into consideration. So, I understand these factors

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1 experience of people, how that influences the
2 interpretation. Certainly I will put that in
3 individually; those are up there.

4 VOICE: I don't see anything here about
5 curfews and curfews are very important.

6 MR. LIU: These are responses. These are
7 associated -- in fact, I haven't gotten to the
8 element of curfews. This is quite a list here. So,
9 I just want to sort of step through it. We will do
10 that.

11 VOICE: That word does not appear on your
12 recommendation.

13 MR. LIU: On the next page.
14 (Slide.)

15 MR. LIU: As we get to more related issues
16 more in the realm of the FAA, we talk about issues of
17 altitude, routing, nor necessarily structural damage.
18 Still what I say is an influence. When you talk
19 about curfews, I'm talking about a non-typical
20 working day or how you would categorize when the
21 operation is, early morning or evening, which again
22 has a different atmosphere of the background-noise

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1 are considered, and nobody is forgetting anything.
2 In some ways it points to certain functions there.

3 VOICE: One of the preliminary issues is
4 that we have annoyance. Something in there should be
5 in reference to -- I notice it says, such that levels
6 of annoyance based on the listener's interpretation
7 of. I think one thing that you mentioned previously
8 was there might be a nice bullet here, the aircraft
9 mission.

10 The other thing is I don't know how to
11 explain potentially individual sensitivity. Those
12 are all --

13 VOICE: You say human sensitivity. That
14 kind of gives us a broad stroke to all people but
15 it's truly individual sensitivity. Individual people
16 are individually sensitive. I guess the easiest way
17 to explain it is that some people are so sensitive to
18 the issue, itself, that they will hear an aircraft
19 coming a mile away. Somebody else will hear one come
20 overhead and will not even notice it. That is a
21 factor.

22 MR. LIU: That is a function of the

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1 level which is the physical influence which affects
2 the perception of that noise.

3 These stood out in terms of issues
4 regarding the FAA, key being altitude. I'm always
5 going to allude to that because that was a heavy
6 response that came back, and the altitude affects
7 operations in IFR, VFR and things like that. Those
8 are things we can concretely understand in terms of
9 how it involves regulation. So, if we look at that
10 and put out operational regulations to reduce noise,
11 either factors can be manipulated or regulated in
12 some regard. That would ultimately influence the way
13 the noise is perceived or generated.

14 These are all inputs; these aren't FAA,
15 but public comments on how safe procedure should be
16 implemented. Minimum altitude again, we've been
17 sensitive in our control to some extent. We've
18 looked heavily at that and supported it with our
19 analysis. Curfew of operations, that and minimum
20 number of operations are these sort of issues that
21 put the ball in the context of regulations within
22 airports. So, that is another element that has

1 gotten to the FAA which we need to address and we
2 will.

3 Specific routes, specific minimum altitude
4 corresponding to maximum noise, that was listed by
5 Robertson Helicopter. They made a concept for the
6 noise number that was acceptable as observed on the
7 ground. We kind of find out what the altitude would
8 be for a helicopter to operate at in order to get
9 that number. That was an idea that I consider kind
10 of new that nobody has considered that that would
11 require. I understand that it would be demonstrated
12 and agreed upon voluntarily downstream, understood in
13 the regulation. It's not there yet but it's a
14 concept.

15 VOICE: That's a good concept but the
16 problem I have is with the quote "everybody agree."
17 We won't have to come down to a degree of process
18 within the regions whether you are doing aerospace
19 redesign or whether you are coming back to sit down
20 and define if there is a reason to establish that
21 with. You have to go through the process of
22 rulemaking. So, I am not here to define processes.

1 I am just here to identify factors.

2 VOICE: If you meant that, it would be
3 agreed to that something like Stage II would be set
4 up in the year 2000 and so on. Everyone agreed but
5 that did not mean every last part.

6 MR. LIU: If you look at the history of
7 that, some of those first attempts in industry that
8 they felt would be in their best interest. With the
9 support of Congress, we can legislate that. It's
10 always good to look at the history to understand what
11 are the factors, who played a part, and what
12 influenced that. Things just don't materialize
13 because we show up at this meeting but because people
14 will have the authority to move that sort of
15 legislation and effectively push that through.

16 Again, I go back to my original slide of
17 where our role is, we are standing in the middle
18 where we are absorbing information. We're asked to
19 lay out the guidance and understanding. But within
20 that these are offerings to Congress to make the
21 ultimate decision on what is the next step, minimize
22 hover durations.

1 These are factors, and I ask everybody to
2 look at these to see if there is an issue that they
3 have that isn't on the list. There's a definitely
4 understandable issue about individuality and
5 perception. So, I want you to please air out your
6 differences so that I can note that.

7 (Slide.)

8 MR. LIU: I'll go through this a little
9 faster so we can start getting to some of the
10 comments. I call these non-operational issues within
11 the confines of the FAA. The FAA can offer public
12 education in the regions and the operators show an
13 awareness of noise mitigation; it is certainly their
14 defined policy now. These are now being used in the
15 fixed-wing world which is to phase out noisy aircraft
16 and to operate quieter aircraft.

17 As noted earlier, it is in the interest of
18 the industry to work to make their aircraft quieter
19 to be more competitive as well as to serve the
20 market. Internationally we are working with
21 international regulators to establish consensus on
22 what's acceptable in the environment in what they

1 call a process committee in aviation and
2 environmental protection. We're of course involved
3 and probably spearhead a lot of that so that we can
4 develop harmonious regulations.

5 When it comes to trade issues, we can be
6 on the same side with everybody. It's beneficial to
7 our country, it's beneficial to the industry, and
8 it's really beneficial to the public. The U.S. could
9 waste money arguing over international trade, but
10 that's kind of gotten off the beaten track a bit.
11 That's some of the issues behind what we're talking
12 about phase-out and operating quieter technologies
13 and a recognition of that.

14 We are still Stage II. After this process
15 and after these comments, I have information about
16 AEE which is what our office does and kind of
17 establish an update on the issues, not the future
18 here and what direction helicopter regulation is
19 going. So, we want to stay with that. I'm not going
20 to hold everybody here to that and people with strict
21 operations.

22 There is a particular faction of

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1 electronic news-gathering type of thing with the
2 exception of fire in an emergency; we will have to
3 accept that on this particular issue.

4 VOICE: Would this be the place to put the
5 beacon issue in?

6 MR. LIU: I think you should market this
7 to ID operators to enhance enforceability process.
8 So, beacons and flashing lights and markings and any
9 of those that would enhance -- I can't roll it up and
10 then unnecessarily put it down in an individual item.
11 You've got a memo that we sent a report to Congress
12 that we're not going to go over. I think they are
13 going to try to draft to the major concerns and work
14 their way back in the details. If the details merit
15 the comments, then I don't think they will identify
16 it.

17 Here I am just trying to get the major
18 concepts relevant that are covered or not covered.
19 This one, legislative; empower means to empower for
20 local control of airspace. They can legislate local
21 issues. But if it is a federally operated airport
22 with federal funds, it's within our jurisdiction.

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1 People who want changes or exemptions or things like
2 that will need to go through the process to offer
3 those changes and to supply justifiable cause.

4 So, that is an item there. Certainly I
5 had the position on California about the military
6 issue, I've told them I would accept their comments.
7 I would submit it as part of the report but it's not
8 an issue I address because it's not within the scope
9 of this effort although it will be in the document
10 that the Congress will receive. The sentiment is
11 there.

12 VOICE: Also from the industry as well,
13 our comments. We don't think helicopters should be
14 exempt from this. Their noise impact is just as
15 critical. It dictates our perception of the overall.

16 VOICE: Absolutely. The other thing is
17 that Air Traffic Control; I notice there is nothing
18 in here. One of the recommendations is that Air
19 Traffic Control be empowered to take the lead in
20 assigning altitudes on those requested by helicopters
21 on specified routes.

22 What I mean by that is, if somebody calls,

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1 for argument's sake, and says, We are requesting 800
2 feet. ATC should have the ability to come back and
3 say, Well, we're going to assign you to 1,200 or
4 1,500. They actually don't do that now. We think
5 they should.

6 MR. LIU: In some cases -- and I've got
7 feedback within our process -- the difficulty
8 sometimes comes down to liability.

9 VOICE: I know that but we are trying to
10 get past that. We're actually asking you to tell us
11 to go higher, you know. Unless the mission mandates
12 it -- I mean, if it's police or EMS or somebody
13 that's doing something that requires a lower
14 altitude. But if this is just an aircraft going from
15 A to B, we support ATC putting aircraft at a higher
16 altitude even if it's other than the one that was
17 requested unless the mission mandates it.

18 A lot of times the mission doesn't mandate
19 it. It's just unfamiliarity on the flight crew's
20 part that they are in a noise-sensitive area and they
21 are transiting that area. That help from ATC would
22 help mitigate this problem and lessen the impact.

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1 You want more ability in some of these areas.

2 VOICE: The exact opposite. We have
3 flexibility now to do whatever we want. We're saying
4 that we should close that in a little where aircraft
5 are requesting altitudes transiting the area,
6 especially a noise-sensitive area. There ATC should
7 take the lead in assigning the altitude higher than
8 potentially what the aircraft requested unless the
9 mission mandates it.

10 A lot of times the mission doesn't mandate
11 it. The flight crew is just going from A to B.
12 Weather is not a factor; Air Traffic Control is not a
13 factor. It's just that the flight crew is really not
14 aware that this is an area that they need to be
15 higher over. But ATC doesn't take that lead. We'd
16 like them to.

17 VOICE: The opposite situation where there
18 may be virtually no fixed-wing aircraft in the area
19 and a pilot would like to fly higher, specifically to
20 reduce noise on the ground. Powers stay hard and
21 fast to their rules and they won't do it.

22 VOICE: In both situations we would

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1 support, there is no need to keep this lower instead
2 of higher. When we are asking for a low and we don't
3 have a reason to ask for it, tell us to go higher.

4 MR. LIU: I'm not a lawyer. Comments on
5 someone's liabilities and things -- but if you can
6 flag pilots to say you have abatement flexibility. I
7 guess the concern is when you tell somebody --

8 VOICE: Isn't this the mandate? What you
9 have to do is look at ATC procedures and what changes
10 in ATC procedures?

11 MR. LIU: I agree. We're going to lay it
12 out there.

13 VOICE: One of the things we are doing to
14 try to help this along is when the flight crews are
15 calling for altitudes, they are actually telling that
16 they are requesting X-altitude for noise abatement,
17 telling Air Traffic Control that this is why they are
18 doing it. So, we are kind of giving a sense of --
19 you keep hearing 1,500 feet from the flight crews for
20 noise abatement, but after a while get the picture
21 that this is the altitude they want to be at for
22 noise abatement.

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1 Keep in mind the area we're talking about
2 obviously relates to the sea-level factor that we
3 have there in the metropolitan area, but I understand
4 what you're saying. As far as New York, that might
5 be true.

6 VOICE: It's going to be extrapolated out
7 if you are in a mountain area or something, sure.

8 VOICE: 700 feet in the Santa Monica
9 Mountains area -- why, sure, it's common sense if
10 you're asking for 1,500 feet in elevation. I
11 understand that.

12 (Slide.)

13 MR. LIU: This is kind of a reflection of
14 some of the sentiment in the comments. With service
15 and associated operational flexibility warranted by
16 fire, police and emergency medical helicopters the
17 strong sentiment was that that was legal to some
18 extent, the public service operations. Those just
19 kind of stuck out, and I wanted to make sure that
20 people read or at least understood that that was in
21 the comments.

22 Everybody kind of input that the federal

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1 government should commit to fostering scientific
2 noise research. We wanted to do some more studies in
3 that direction and help them in understanding that.

4 Then people, particularly in the New York City area,
5 alluded to the fact that there wasn't hard numbers on
6 the numbers of populations. You can estimate based
7 on operators, but they really wanted to understand
8 what the traffic through that area was. VFR doesn't
9 give us a process to track those sort of things.

10 So, as a recommendation that people
11 supported was distinct long-term measurements on
12 sites. In particular, parks, hospitals and
13 residences; they wanted to understand the particular
14 effects in those kind of sites, whether they differ,
15 each having its own different environment. Tracking
16 helicopter operations in a metropolitan area would
17 foster some understanding of growth and see if there
18 was a necessary force.

19 One other thing I didn't have in here --
20 actually, yes, you agreed that flying high is good.
21 I think the public in general can respond to previous
22 two operations. But it is certainly still an issue.

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1 So, those are what I will call our highlight concerns
2 on issues operated. What I'm going to do now is I'm
3 going to kind of close this, but I am going to just
4 go ahead and step into the comment period. We can
5 start kind of going through the dockets starting at
6 34.

7 We can take a break for maybe ten minutes.
8 (Recess.)

9 MR. LIU: What I would like to do is go
10 ahead and start off by picking up where we left off
11 at the last workshop and that is reviewing comments
12 submitted. The last one was number 33. So, within
13 the binder it starts off at number 34. 34 is
14 actually a submission that was intended to go to
15 ANAF's office 30109 which is another privacy study.

16 I will move on to the next one which I
17 tagged at the request of the Honorable Senator Duane
18 who submitted this comment. I've included it as
19 34(a). Is there anyone from the office of Senator
20 Thomas Duane that would like to comment?

21 (No response.)

22 MR. LIU: There is no response. We will

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1 move on to the next submission, number 35 which is
2 Pat Cater from Encino, California. Is there anybody
3 here who would like to comment for them?

4 MR. SILVER: I would be happy to.

5 MR. LIU: The transcript would be clearer
6 if you would come on up here. If all the speakers
7 when they first come up would first sign in please so
8 that I can log your name. At this point we don't
9 have a huge audience. So, I would like to keep it
10 reasonable, five minutes at best. If you would like
11 to at the end of all the comments, we could allow for
12 closing and all those comments that aren't within the
13 docket will be addressed.

14 MR. SILVER: I'm going to comment on this
15 particular letter because it was sent in by one of
16 the members of Stop-the-Noise Coalition and a member
17 of the Homeowners of Encino which is a community
18 organization. Many of these comments go back to the
19 first binder, that 1-34 set when I was not present.
20 Unfortunately FAA didn't give us enough lead time.

21 Basically what item 34 does is first types
22 of helicopter operations that elicit negative

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1 seek the highest-possible altitude.

2 Now, what traffic control procedures need
3 to be addressed? There are a number of them listed.
4 I'm not going to go over those, but let me first
5 comment on the notion of the route. It's generally
6 FAA's policy, from what I can see, to recommend that
7 highways, freeways be recommended as routes because
8 there is a faulty assumption that if you have a
9 resident that lives next to a freeway, that they are
10 less sensitive to noise. That's because it's a
11 mathematical averaging of two noise levels and, you
12 know, they obviously don't double.

13 The point is that's fallacious because
14 those residents near freeway routes already are
15 enduring a substantial amount of noise. Then to
16 recommend that helicopters take that route -- which
17 is what the FAA does certainly in the Los Angeles
18 area and some of the other areas of the country -- we
19 think that is not viable.

20 The alternative, the thing that needs to
21 be recommended is a look at land use. That's going
22 to take more time and more money before you do a

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1 responses by individuals. As it said in the letter,
2 most of the people in this community and certainly
3 Mr. and Mrs. Cater certainly do not find emergency
4 helicopter operations a problem. We recognize this
5 necessity; they need to be there.

6 One of the concerns, though, is whether
7 that public service helicopter is actively on a
8 response or whether they are returning from a
9 response because we believe -- and I speak for Mr.
10 Cater -- that what often happens is a police
11 helicopter will go on to a call, and they certainly
12 cannot go up at a high altitude.

13 Of course, there are a lot of those
14 operations that are conducted in early evening and
15 late evening hours. Then when they return and when
16 they go on patrol, rather than going up altitude-
17 wise, they stay at very low altitudes skimming across
18 residences. So, I think one of the recommendations
19 FAA needs to put in place here is that when a police
20 advisor like an AC or something, that it be
21 recommended that when one of these services is not on
22 an active service but on a return, that they then

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1 route specification rather than say, Hey, here's the
2 L.A. map. Why don't we just log all the freeways?
3 There are areas that are open space. There are
4 flood-control channels. There are whole wide swaths
5 of industrial areas, and that is what needs to be
6 prescribed.

7 Number three, what impact would a
8 restrictive control procedures have on operation on
9 law enforcement alluded to earlier? I think the need
10 for beacons to identify emergency helicopter services
11 are important. We have a lot of problems with the
12 ENG, electronic news-gathering. The notion of
13 pooling is a great idea but unfortunately no media is
14 going to buy that because it's a very competitive
15 market in Los Angeles.

16 There have to be other regulations or
17 controls, something that basically says -- I'm not
18 sure how FAA would want to phrase that -- but you
19 cannot have 17 helicopters following a chase down the
20 roadway which is the 6:00 o'clock news these days
21 almost daily. Of course, with these higher levels
22 they can fly because of their telephoto lenses and

24 (Pages 90 to 93)

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1 the steady-cams and a lot of this sophisticated
2 tools.
3 One of the recommended solutions to
4 minimize noise -- he has a recent opinion here --
5 basically include giving more control to the local
6 jurisdiction to address routes and more control to
7 the local jurisdictions. We often hear that the FAA
8 won't allow us to do that or that everything is,
9 quote, controlled by the FAA.
10 A perfect example might be the recent
11 situation in New York where helicopters went up
12 second avenue and the local jurisdiction didn't want
13 that. In their litigation, you know, they weren't
14 permitted to do that. But here when you have a
15 closely knit constituency and elected officials all
16 in agreement, there needs to be some voice there in
17 terms of their ability to control routing.
18 The other thing is we had a lot of
19 problems getting beacon codes assigned to
20 helicopters. I don't want to say the FAA dragged
21 their feet, but maybe I should say that because
22 that's what happened. We didn't get those beacon

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1 codes until just a matter of about six or eight
2 months ago at Burbank-Van Nuys Airport, and those are
3 important dispersing sightseeing.
4 Again it's a matter of routing but
5 basically the fundamental problems that Mr. Cater and
6 Mrs. Cater are addressing here, and it's reflected in
7 all these comments, are low-flying helicopters
8 particularly using the same, repetitive routes, Van
9 Nuys Freeway, Ventura Freeway through to the
10 Hollywood sign over Madonna's house, through
11 Universal and then back. Those kinds of repetitive
12 operations are distressing.
13 The excessive number of media helicopters
14 that start out at 5:30 in the morning when there is
15 virtually no fixed-wing aircraft. There have to be
16 curfews that address that. There has to be some
17 effort to control routes and identify the
18 helicopters. Finally I think I should close by
19 saying that while we strongly support the industry
20 needs to be lauded for Fly Neighborly, that's only
21 one tool and should not be the number-one tool.
22 It has been proven from the residents'

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1 standpoint; every single community leader I've talked
2 with has said that Fly Neighborly has been a failure.
3 It's a failure because it is not a requirement, and
4 the history of voluntary efforts -- we think they're
5 great, but there has to be some kind of regulation in
6 our view. Mr. and Mrs. Cater would certainly support
7 some stronger regulations through the FAA. Thank
8 you.
9 That was about 4-1/2 minutes.
10 MR. LIU: Thank you, Mr. Silver.
11 Comment number 36 is submitted from C.S.
12 Russell from City College of the University of New
13 York. Anybody representing Mr. Russell that would
14 like to speak on their behalf?
15 (No response.)
16 MR. LIU: No response. I'll move on to
17 the next comment, number 37, Richard Zogg from
18 Brooklyn, New York. Is there anybody here
19 representing Mr. Zogg?
20 (No response.)
21 MR. LIU: No response. We will move on to
22 37(a), Gilbert Rolfe from New York. Anybody who

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1 would like to speak on their behalf?
2 (No response.)
3 MR. LIU: Okay, no response. We will step
4 through this, number 38, Fabricant and Dallows from
5 New York.
6 (No response.)
7 MR. LIU: No response. I will move on to
8 comment 39 from New York. That is from Sylvia
9 Locker. Any response?
10 (No response.)
11 MR. LIU: No response. We will go to
12 comment number 40 which is from Tony Turan, president
13 of the West 400 Block Association. Any comments?
14 (No response.)
15 MR. LIU: There's nobody here representing
16 him. We will move on to 41. This is from Lisa
17 Stanford from New York. Anybody who represents her?
18 (No response.)
19 MR. LIU: We will move on to comment
20 number 42, Gregory Latham from Hawaii. Anybody
21 representing the opinion for Gregory Latham?
22 (No response.)

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1 MR. LIU: We will move on to comment
2 number 43, submitted by the Helicopter Noise
3 Coalition of New York. We have a speaker who would
4 like to discuss this.

5 MS. MUELLER: My name is Marni Mueller,
6 and in a way I am speaking for all of those people
7 that we just passed over who are from New York City
8 and then all the other New York City people.

9 I am a founding member of the Helicopter
10 Noise Coalition, and Joy Heald is our president. I
11 basically have operated as the political strategist
12 during the five years that we have been in existence.
13 We have actually been in existence fewer years. I
14 started about five years ago myself fighting
15 helicopters. I'm not going to talk directly to the
16 voluminous material that we submitted. I think that
17 if people want to read it, they can read it or their
18 Congress people can read it.

19 What I want to talk to is this issue of
20 the impact on the citizenry of helicopters and
21 particularly the impact on the citizenry of having to
22 work to fight helicopters. I'm a novelist and so I

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1 community about fighting the helicopters.

2 This is not fair. It's not fair to
3 community people that we one, have to be subjected to
4 the noise and two, we have to spend our time and not
5 be paid at all to fight them. This is why we are
6 asking and saying that we must have regulation and
7 legislation around this issue.

8 What happened in our situation was in 1995
9 all hell broke loose. Industry lost complete control
10 over the helicopters in our airspace. It was only by
11 our diligent efforts of fighting that the industry
12 began to rein in. They did some with Fly Friendly;
13 they did it all different ways. The pressure went on
14 our part. They began to become more responsive.
15 They had to be because, in fact, I'm a good political
16 strategist, and we were really doing good political
17 work.

18 One of the problems was the industry would
19 start changing routes. We're talking about
20 rerouting. Matt and I are now friendly but there was
21 a period when we weren't very friendly. In the
22 period before that when we were friendly, I used to

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1 am going to speak of this from a personal point of
2 view. I've now spent five years fighting
3 helicopters. I've had my work, my life and my
4 livelihood impacted by the overflight of helicopters.

5 But perhaps the worst is the voluminous
6 amount of work that we have had to do to fight
7 industry on this. Sometimes industry says, Oh, these
8 are people who have nothing else to do. There are
9 just a few of these people. The truth is we have a
10 lot more to do. I have novels to write. Let me just
11 give you an example of what a day was like in the
12 center of the time that we were fighting them when
13 the full impact of the helicopter noise was upon us.

14 I would get up at 7:00 in the morning and
15 start working on the issue until 1:00 in the
16 afternoon. Then I would go to my writing studio
17 where helicopters also went overhead everyday. I
18 would work there until about 7:00 at night writing a
19 novel that my agent and my publisher and everybody
20 was on my back about. Then I would go out in the
21 evening and go from community board to community
22 board trying to get resolutions passed organizing the

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1 joke to Matt, I said, Sure, change the routes. It's
2 the best organizing tool we have because every single
3 place that a helicopter route was put we would get
4 calls and get members.

5 This is the particular problem of New York
6 City. This is the problem of a residential city
7 where people live in every nook and cranny. This is
8 the problem of the city where we go for recreation in
9 our parks. This is the problem of the city that's
10 surrounded, that has rivers around it but there are
11 populations living all around the rivers. So, in
12 fact, we believe there is no way to have other than
13 non-emergency helicopters in our airspace.

14 We ask for other recommendations as you
15 will see when you read the material. We also don't
16 believe that industry will do that on its own. We
17 know that we have become an extremely powerful force
18 not only in New York City but also we are part of the
19 reason we are all sitting down here today to do this
20 on a national level. But it has really taken its
21 toll on us. We don't know how much longer, but we
22 will keep fighting. But just how much longer will it

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<p>Page 102</p> <p>1 be possible that groups can maintain this kind of 2 effort?</p> <p>3 To finish, the other night I was at a 4 dinner party, and I was sitting next to the general 5 counsel for a global bank. I talked to him somewhat 6 about the helicopter issue and the question of 7 regulation and non-regulation. I also talked to him 8 about a class-action suit against Texaco for human 9 rights violations in the Amazon.</p> <p>10 He turned to me and he said, You can't 11 hold us responsible. You can't make us think that we 12 are going to take responsibility for these violations 13 on a voluntary basis. That's not our job. Our job 14 is to move money, to move capital around. Our job is 15 to be beholden to our board of directors and our to 16 our stockholders.</p> <p>17 I said, Well, then who does have the 18 responsibility? He said, The federal government has 19 the responsibility. The federal government has to 20 regulate us, and we then have to listen to the 21 federal government. That's what I'm asking you now, 22 ladies and gentlemen of the House of Representatives,</p>	<p>Page 104</p> <p>1 there, and it will be incorporated for the record for 2 the report, the report with the appendix for all this 3 stuff in the executive summary.</p> <p>4 Okay, comment number 44 was submitted for 5 the Hard of Hearing by Janet Wells -- I'm sorry, 6 Annette Gilling of Hoboken -- no, I'm sorry, Nancy 7 Nabor -- correct me on that. Is Nancy Nabor here to 8 offer a comment on topic submission number 44?</p> <p>9 (No response.) 10 (Tape 6)</p> <p>11 MR. LIU: We will move on to comment 12 number 45 by Annette Gilling from Hoboken, New 13 Jersey, if Annette is here.</p> <p>14 (No response.)</p> <p>15 MR. LIU: We will move on to the next 16 comment number 46 from Janet Wells from Brooklyn, New 17 York. Anybody who would like to comment for her?</p> <p>18 (No response.)</p> <p>19 MR. LIU: Is that Jonathan? I can't read 20 the handwriting very well; so, bear with me. I'm 21 sorry. Correct that, Jonathan Wells. That was 22 number 46, no response. So, we will move on to</p>
<p>Page 103</p> <p>1 that you actually do this regulation for us because 2 that's the only way we are going to get this done.</p> <p>3 As generous as the industry is being now, 4 they are not going to do it unless there are 5 regulations. Thank you.</p> <p>6 MR. LIU: Thank you for the comment. That 7 will be recorded in the transcription of this 8 workshop. I'll just let you know everybody's 9 comments will, and we will post those on the web site 10 when they become available at the end of this 11 workshop.</p> <p>12 That was comment 43. We move on to 44. 13 Just to let you know, for the comments submitted for 14 the New York City Coalition, that section is not 15 complete. There's actually an appendix which was 16 quite like Marni said, big and involved volumes of 17 about 5- or 600 pages. I've left a copy over there 18 for those who would like to view that.</p> <p>19 What I've asked is as I develop my web 20 site and post all this information I am going to have 21 that scanned. When you click on it, it may take 22 years before it opens but that will be posted out</p>	<p>Page 105</p> <p>1 comment number 47, the Federation of University 2 Neighborhoods submitted by Martin Gardella. Is 3 anybody representing the Federation who would like to 4 speak on their behalf?</p> <p>5 (No response.)</p> <p>6 MR. LIU: We will move on to comment 48. 7 If there is no representative here -- Mr. Oppen from 8 Brooklyn, New York. Would anybody like to comment 9 for submission number 48?</p> <p>10 (No response.)</p> <p>11 MR. LIU: We will move on to the next 12 submission, number 49 from again New York, New York. 13 No comment?</p> <p>14 (No response.)</p> <p>15 MR. LIU: We will move on to number 50, 16 Carl Holland from New York.</p> <p>17 (No response.)</p> <p>18 MR. LIU: Move on to comment 51, Edward 19 Delling.</p> <p>20 (No response.)</p> <p>21 MR. LIU: No comment. We will move on to 22 comment number 52 submitted by the Noise Pollution</p>

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1 Clearinghouse, Vickie Para. Is there any
2 representation for the Noise Pollution Clearinghouse?

3 (No response.)

4 MR. LIU: We will move on to Lawrence
5 Hatcher from New York, number 53.

6 (No response.)

7 MR. LIU: We will go to comment number 54
8 from the Council of the City of New York, Kenneth
9 Fisher. Any representative from that office?

10 (No response.)

11 MR. LIU: We will move on to the next
12 comment, 55 submitted by Gerald Nadler. Is there
13 somebody who would like to step up and comment?
14 There is.

15 MS. MORTON: Hi, my name is Lisette
16 Morton. I'm from the office of Congressman Jerrold
17 Nadler of New York. I want to thank everyone for
18 being here today. It's nice to hear from both
19 industry and from the residents so that we can work
20 together to come up with a solution that addresses
21 everyone's needs. We understand that this is a
22 complex problem, and we will look forward to working

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1 to regulating helicopter traffic. It can set
2 required routes, minimum altitudes and standards such
3 as states the level of noise. The FAA can also
4 mandate flying over water routes, regulating hovering
5 duration, and direct helicopter operators to conform
6 to take-off, landing, and fly-over noise abatement
7 procedures.

8 So, clearly there are several things that
9 we can do at the federal level to address this
10 problem. I think, that being said, everyone is
11 looking to the FAA to take leadership on this issue
12 and through the study to come up with systematic
13 solutions to the problems that this poses for
14 everybody involved.

15 We thank everyone for being here and we
16 thank the FAA for all the work they've done on the
17 study so far. We are happy to see that the FAA is
18 taking into consideration community input as well as
19 scientific measurements and comments from the
20 industry. We look forward to working with all of you
21 in the future as we address this issue at the federal
22 level. Thank you.

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1 with everybody to come up with a solution.

2 At the same time the intent of the study
3 was to focus attention and a list of recommendations
4 via an in-depth study of the problem helicopter noise
5 causes for the residents of New York City and for
6 other residents across the country. That being said,
7 we want the city to have two focuses. One was to
8 look at the measurements of sound levels and
9 scientific, objective analysis of helicopter noise to
10 gain information so that we could work with industry
11 and government agencies to come up with measures that
12 address the problem.

13 At the same time we wanted the focus of
14 the study to understand how noise impacts people's
15 mental and physical well-being. I think it's clear
16 from all the comments here that there is no shortage
17 of public comment on how this affects residents'
18 daily life. We know community input is essential,
19 and that is why the FAA is required to consider the
20 views of organizations with an interest in reducing
21 non-military helicopter noise on individuals.

22 The FAA has several options when it comes

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1 MR. LIU: Thank you very much for those
2 comments. Again, they will be recorded into the
3 transcript for the public record.

4 We will move on to the next comment,
5 number 56 which is Edna Duffy from New York. Is
6 there anyone here that would like to elaborate?
7 (No response.)

8 MR. LIU: No response. We will go to
9 comment number 56(a). Bill Silver, did you want to
10 step up? This is your e-mail. That's 56(a).
11 John, is this one that also came in later?

12 MR. SILVER: I understand that Sherry
13 Kappell was going to fax in some comments that Mrs.
14 Silver was going to read. Will you be able to check
15 your fax?

16 MR. LIU: I can try to do that at the
17 lunch break and go upstairs.

18 MR. SILVER: Thank you. Do you want me to
19 sign in again?

20 MR. LIU: I'll just put your name down.

21 MR. SILVER: 56(a). I'm going to be
22 speaking now on behalf of not only the homeowners of

28 (Pages 106 to 109)

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1 Encino but the Stop-the-Noise Coalition which is this
2 regional consortium of the 28 or 29 groups including
3 the Sierra Club, also the Helicopter Noise Coalition.
4 That's an informal, loosely knit group of individuals
5 and associations across the country from Hawaii to
6 New York all over the United States.

7 We are in communication by e-mail and
8 periodically through direct mail. That brings us to
9 item number 56(a). This is a little hard to read.

10 So, I am going to use -- this is all in italics,
11 Sandy. Let me jump first to control of helicopter
12 noise, what we believe is imperative for the FAA to
13 implement.

14 Number one, there should be a minimum
15 1,500 feet AGL over populated urban areas. Right
16 now, as you most of you probably know, there are
17 virtually no minimums short of what the pilot or the
18 operator feels is safe. That self-regulation notion
19 is not an acceptable solution to the problem.

20 Second, limits must be placed on the
21 number of helicopters that can report a car chase, a
22 loose dog, a cat on the freeway or some minor blaze

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1 internationally and so on, but certainly for U.S.
2 operations it's necessary for people on the ground to
3 readily identify those aircraft.

4 Sixth, police and fire emergency
5 helicopters should be required to adhere to minimums
6 when they are not in active service.

7 Seventh, the maximum amount of time that
8 an aircraft, rotorcraft can hover in a stationary
9 urban area should be controlled. As it is now, on
10 the 405 and the 101, the San Diego and Ventura
11 Freeways they may be waiting for a 30-second video
12 shot. The helicopter comes in five or ten minutes
13 earlier, positions itself, and waits for exactly the
14 shot. Then after ten minutes they cut in the camera,
15 cut it out and then fly on.

16 Sometimes it's substantially longer if we
17 are talking about news events such as Grauman's
18 Chinese Theater or whatever they are showing,
19 including weddings. I won't mention individuals that
20 have famous weddings in the Malibu area, but
21 helicopters can be stationed there for a long period
22 of time.

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1 in a residential dwelling. Again, I'm not sure of
2 the mechanism as to how the FAA can solve that
3 problem but clearly that is critical to address.
4 That is to electronic news-gathering, limiting the
5 numbers.

6 Third, limit the use of helicopters as
7 electronic news-gathering tool in the sky and
8 secondly to make it a portable TV station. Now what
9 is happening is these helicopters are equipped with
10 the pilot. Then there is the reporter and often a
11 person with electronic gear. They simply take a
12 studio and put it up in the air. When you've got
13 multiple situations like that, it creates not only a
14 noise nuisance but also a safety problem.

15 Fourth, and this is national, we believe
16 freeways should not be arbitrarily defined as
17 helicopter routes. That's fallacious as I pointed
18 out earlier. Rather than taking the easy way out and
19 blindly adopting freeways, it is necessary to look at
20 land use.

21 Fifth, end numbers must be large on
22 helicopters. I know there are agreements

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1 Eighth, metropolitan areas should have
2 helicopter noise hotlines. There needs to be some
3 formal mechanism published and available where people
4 can come and identify that there is a problem. Right
5 now they don't know who to call. Do you call FAA?
6 Do you ask for what department, which division, who
7 to call? Do you call the airport operator? Do you
8 call the TV station? Do you, you know, call your
9 local council person? There needs to be some
10 clearly identified published number for helicopter
11 complaints.

12 Nine, limits must be set on the frequency
13 and the number of tourist helicopter operations
14 because in some areas this is going to continue to
15 get worse. Those repeated flights are very
16 disturbing.

17 Tenth, curfews should be established to
18 control industry excesses, meaning convenience for
19 certain -- I don't want to use commuters, but for
20 operations where it is simply convenient to fly in
21 and out of an office or a facility. That needs to be
22 addressed.

29 (Pages 110 to 113)

1 What are some other restrictions? Law
2 enforcement helicopters should be allowed to perform
3 their operations when needed, but when not in active
4 service I say the 1,500-foot minimum should be
5 adhered to. We believe that sightseeing by
6 helicopter is not a desirable activity over
7 residential communities. I won't speak to the
8 problems such as Juneau and others where those
9 helicopters scream over heavily impacted residential
10 communities. They are also extremely distressing.

11 Again, another suggestion is the minimum
12 altitude of 1,500 is crucial to be established. Our
13 community group -- now, think about this -- we spent
14 over three years in order to bring to the FAA's
15 attention a proposed rule making it 1,000-foot
16 minimum. The city of Santa Monica was asking for a
17 500-foot AGL. We fought that all the way through the
18 FAA. I say fought because you had a huge amount of
19 industry opposition.

20 On the other hand -- I will submit -- in a
21 few minutes I will submit some hard-copy documents on
22 this where the elected officials were universally

1 broader, even more important concerns. First we are
2 extremely concerned by the close and frequent contact
3 that exists between the FAA and the HAI and other
4 operators, particularly the heavy Washington, D.C.,
5 presence. For us to communicate it is necessary for
6 us to fly across country. These are community
7 associations that are not well funded. We don't have
8 the budget to open up rather luxurious quarters in
9 D.C.

10 It's important at all times for the FAA to
11 say, Yes, we must listen to the lobbyists, we must
12 listen to the industry but that is one voice. Where
13 you have two or three members of the community
14 associations here, they represent tens of thousands
15 of individuals. That has always to be kept in mind.

16
17 The next point that I want to make is the
18 FAA's method of involving and informing the public on
19 this helicopter noise matter has been unsatisfactory.
20 I think the word may be derelict because this is a
21 severe issue in many parts of the country, not all
22 over the country, of course. But the notification on

1 supportive of the 1,000-foot minimum and AGL. This
2 included Congressmen, included boards of supervisors,
3 city council people, residents and community
4 associations. They universally said you have got to
5 have a 1,000-foot minimum.

6 The FAA decided that really wasn't
7 justifiable. We appealed it to the FAA and that was
8 only turned down. We appealed to President Clinton
9 and he ultimately turned it down. You have to say we
10 were receiving faxes regularly until he was re-
11 elected. Then for some reason our fax communications
12 stopped. But that can't be avoided now. You have
13 got to bite the bullet on this minimum altitude.

14 Next the FAA must devise and implement new
15 noise standards for helicopters and phase out some of
16 the older models. I think that is already going
17 forward. I realize now for convenience -- I guess
18 it's convenience -- they have used Stage II
19 helicopters. All the helicopters are Stage II but
20 clearly we need some kind of reasonable phase-out
21 program.

22 Now, let me go to a couple of other

1 this docket was not done with any sophistication.
2 There was no bulk mailing to my knowledge.

3 At least three of the associations, our
4 associations as well as the National Helicopter Noise
5 Coalition, did not receive any mailings on it. Our
6 e-mail addresses were widely known. We had hard-
7 copy, snail-mail addresses. Having spent a three-
8 year battle on the minimum altitude, there's a two-
9 or three-inch file on that. As I said, I will give
10 you copies of some of that for reference.

11 Yet virtually no one was notified except
12 by grassroots informal notification. That's not the
13 way to get public input particularly with the
14 Congress. It's not everyday that the Congress tells
15 the FAA to go out and do a study on this, that, or
16 the other. There is a severe problem.

17 I think the FAA needs not only to keep
18 that docket open but perhaps open up some additional
19 methods such as voice mail which is essential. Most
20 businesses do that today. Most consultants when we
21 have a project, there is an e-mail consultation. You
22 have an 800 number which allows you to track the

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<p>Page 118</p> <p>1 street address on that resident. So, you know where 2 they are complaining from to be able to put that in 3 on a phone call. 4 The notion that you have to file three 5 hard copies of a document with the FAA is reminiscent 6 of more of the 18th century rather than the 21st 7 century. I don't mean to be overly critical of the 8 FAA but it has to be said because, as you know, it's 9 easy to become very insular here. 10 The last point I want to make is we found 11 it very distressing with this short time frame for 12 public comment. Granted, you have a deadline to 13 report back to Congress on this, but there needs to 14 be plenty of adequate comment and feedback. Even if 15 you have to extend the deadline and provide a 16 supplemental report to Congress in order to pick up 17 additional comment, that would be necessary. 18 The comment has to be balanced because the 19 industry sends out another one of their fax alerts 20 and tells every helicopter pilot who flies out of 21 Podunk over some pipeline to write in. You get 500 22 faxes the next day. That 500 faxes has to be weighed</p>	<p>Page 120</p> <p>1 (No response.) 2 MR. LIU: On to comment 58, David Benigni 3 from Pleasant Hill, California; is anybody commenting 4 for David Benigni? 5 (No response.) 6 MR. LIU: We move on to the next comment, 7 number 59, Liz Garnholtz from El Segundo, California. 8 Nobody to comment on that? 9 MR. SILVER: Is that 59? 10 MR. LIU: Correct, Liz Garnholtz. 11 MR. SILVER: Could I simply say that I've 12 been in communication with Ms. Garnholtz. I think 13 her comments are very clear. She wasn't able to 14 attend today but I think the point here is that LAX 15 has a severe helicopter problem as well. That was 16 the purpose of her letter rather than saying it's 17 only a San Fernando Valley problem. The letter 18 speaks for itself. 19 MR. LIU: Okay. Let it go on record. We 20 will move on to comment 60 which is from Nancy Huchak 21 from New York. Is anybody here to comment for her? 22 (No response.)</p>
<p>Page 119</p> <p>1 in perspective against those community residents. 2 Many community organizations and neighborhood groups, 3 volunteer groups hold monthly meetings. This has 4 been particularly distressing for those groups 5 because they weren't present at the time you wanted 6 your comment. 7 Finally the FAA must resist helicopter 8 industry pressure. Hopefully you will discount some 9 of the voluntary programs and go for the kind of 10 restrictions that are long overdue. 11 I am sorry to take so long with our 12 comments but they are necessary to put into the 13 record. None of these criticisms I want to say are 14 directed at any one individual at the FAA. The staff 15 have always been courteous, supportive. The rest of 16 the agency has been supportive as well. Thank you. 17 MR. LIU: Thank you, Mr. Silver. That was 18 comment number 56(a). This next comment is 57, 19 Bravers from Brooklyn, New York. 20 (No response.) 21 MR. LIU: No one here representing 22 Bravers?</p>	<p>Page 121</p> <p>1 MR. LIU: The next one is comment number 2 61. I don't know -- oh, there it is. I can't read 3 the handwriting. She's a representative from her 4 area of New York City. Anybody like to speak on her 5 behalf? 6 (No response.) 7 MR. LIU: We will move on to the next 8 comment, number 61(a), which is also comment 67. 9 This came in prior to the docket from the Assembly 10 State of New York from Albany, Richard Godfrey. Is 11 there anybody from his office that would like to 12 speak on his behalf? 13 (No response.) 14 MR. LIU: We'll move past 61(a), also 15 comment 67. The next one is from the Weehawken 16 Environment Committee represented by Bruce Sherman 17 and here is Bruce. 18 VOICE: This is also 69. 19 (Pause.) 20 MR. SHERMAN: Hello. My name is Bruce 21 Sherman, president of the Weehawken Environment 22 Committee from Weehawken, New Jersey. Our committec</p>

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1 has several hundred members. First I wanted to thank
2 Sandy and the FAA for this opportunity to speak on
3 this very important issue. Especially I want to
4 thank those members of the public who have come, Mr.
5 Silver and the gentlemen in the back from California,
6 and also Marty from New York.

7 The gentlemen from California were
8 obviously spending days of their time coming out
9 here. I'm using two days of my time; Marty, as well.
10 We are not paid to come here but we are very much
11 affected by this problem.

12 (Tape 7)

13 MR. SHERMAN: (Continuing) -- I'm not
14 going to read my comments. I just want to try to
15 make certain points. Let me tell you where Weehawken
16 is located for those of you who do not know.
17 Weehawken is a community of about 12,500 people
18 located directly across the Hudson River from midtown
19 Manhattan. So, if you are in the 40's and 50's on
20 12th Avenue where the luxury cruise liners are docked
21 or if you are at the Intrepid and you look directly
22 across, you will see Weehawken, New Jersey, on the

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1 Hudson County and New Jersey are mobilizing on this
2 issue.

3 One of the comments that I have read is
4 that we should put sightseeing helicopters in the
5 center of large rivers. Well, that's okay but I
6 think that if you do more studies, you will find that
7 water actually amplifies sound. For those of us that
8 live right on the water, this is a tremendously
9 disturbing problem.

10 So, basically I am coming here to entreat
11 all of you to give us relief. From my personal point
12 of view I will go over three major points. One,
13 these sightseeing helicopters; if you are standing on
14 the palisade whether it's in Weehawken or to our
15 neighbor to the northwest of New York or north of
16 that, Duttonburg or Edgewater, if you are standing
17 and looking at the magnificent vista that you have of
18 New York City, it's probably -- especially from
19 Weehawken we like to think it's the best vista of New
20 York City.

21 Maybe you are familiar with Brooklyn
22 Heights that has a similar vista of New York. We

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1 banks.

2 Then up on the cliffs you will see the
3 palisades, Weehawken actually. It is an Indian term
4 which apparently means end of the palisades. I also
5 want to let you know that I spoke to Mayor Turner of
6 our town, and he is very supportive of what we are
7 trying to do. In fact, he said to me on the phone
8 yesterday, Please tell the assembled that you
9 represent the Town of Weehawken as well. We don't
10 always necessarily agree, but on this item we do
11 agree.

12 Also I was in touch with Congressman
13 Menendez' office. Congress Menendez represents large
14 parts, a portion of Jersey City, Hoboken, which you
15 may know a little bit more than Weehawken as it's the
16 birthplace of Frank Sinatra and also Baseball which
17 is just a community south of us and other waterfront
18 towns along the west banks of the Hudson River.

19 Congressman Menendez is very interested in
20 this. Actually one of his aides was going to try to
21 be here today. I don't think the schedule permitted
22 it but I want the FAA to know particularly that

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1 actually have a magnificent promenade to which
2 probably hundreds of thousands come to view the sight
3 of Manhattan. We have tourist buses coming all the
4 time which are a problem in and of themselves but it
5 is really a magnificent experience when you come to
6 Weehawken and take a look at it.

7 One of the things that really spoils the
8 experience, however, is the non-stop sightseeing
9 helicopters which take off from West 30th Street.
10 One of the points where they take off is West 30th
11 Street on the other side of the river in Manhattan.
12 They come north and they circle around and then come
13 south, both times going by our community. I've
14 read there are some accounts that it happens as
15 frequently as every 90 seconds. I don't even know
16 the name of it but there is one helicopter that has
17 this lightening bolt on it. That's a tremendous
18 irritation for us because when you are trying to
19 experience this view and experience nature because
20 that's what the Hudson River represents, and then you
21 have to hear that slap and clap of the helicopter
22 rotors at any given moment, it's quite disturbing.

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1 We would like to go on record as saying
2 that we certainly support New York City in its ban at
3 least in attempting to not host the sightseeing
4 companies apparently up until possibly 2006 or 2007.
5 I understand that they still may be permitted to use
6 the downtown Manhattan heliport. We entreat the FAA
7 to look at that again because I understand there is
8 something related to funding of the Port Authority
9 and that downtown heliport which is tying the hands
10 of the FAA.

11 I may not be quite accurate on that but if
12 there is a way that the FAA can second the activities
13 of New York City and New York State in not hosting
14 these sightseeing operations, it would be tremendous.
15 The problem that we are then going to deal with is
16 the possibility that these sightseeing operations may
17 be moved across the river to New Jersey which will be
18 just as bothersome to us, perhaps even more so.

19 I can tell you once again that we are
20 mobilizing on this issue and getting Congressman
21 Menendez' office involved. The waterfront of New
22 Jersey is referred to as the Gold Coast. Development

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1 That is one point. The other issue is the
2 corporate helicopters that come out of Teeterboro
3 Airport. Teeterboro is located to the west of us.
4 Often these planes will come directly, as they are
5 coming into Manhattan will come directly over the
6 small communities between Teeterboro and Manhattan.
7 One of them is Weehawken.

8 I can tell you personally that I've
9 experienced many times helicopters flying directly
10 over my house probably at no more than 100 feet above
11 my house vibrating my house which is from 1910, and
12 it is not a brick house. It's a wood structure that
13 is vibrating and it's shaking through to my bones.

14 This is something that we really need to
15 look at in terms of the height that these helicopters
16 may fly at. We really need to raise it, and I would
17 go along with Mr. Silver's suggestion of 1,500. This
18 has to be mandated. It's absolutely essential for
19 the FAA to do it, for the federal government to do it
20 also.

21 The ENG helicopters, the electronic news-
22 gathering helicopters -- Weehawken is the host

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1 is going on all along. Probably next year it will be
2 the Waterfront of Weehawken which is under where the
3 town is located perched up on the palisades.

4 Right on the water there's going to be
5 tremendous development that's already going on in
6 West New York. It's already happening in Edgewater,
7 New Jersey. These new residents and workers who will
8 be bound directly on the waterfront, thousands and
9 thousands of them are going to come over the next few
10 years. They are certainly going to be impacted just
11 as much as we are by the helicopter noise.

12 So, I don't know if we are going to have
13 helipads right on the water but the concern is that
14 it could come somewhere else a little more inland and
15 then go out over the water for the sightseeing
16 operations. So, I guess the point that I really want
17 to make is that to use the Hudson River as the flight
18 plan for the sightseeing helicopters is not a
19 solution. So, we would join forces with the
20 Helicopter Noise Coalition in New York in urging a
21 total ban of non-essential, non-emergency
22 helicopters.

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1 unfortunately of the Lincoln Tunnel which is along
2 with the Holland Tunnel and the George Washington
3 Bridge three of the main arteries to get into New
4 York City. Obviously there are tie-ups at the
5 Lincoln Tunnel.

6 For some reason I don't quite understand,
7 especially since there is a well-publicized Panasonic
8 camera that's perched on one of the billboards
9 outside the Lincoln Tunnel where they can judge the
10 traffic movement, these ENG helicopters love to come
11 and hover and look at the stationary traffic. Now,
12 you figure it out. I don't understand it but that's
13 what they do at 5:30 in the morning.

14 This past Monday in particular I wasn't
15 sleeping too well. I had just gotten to sleep again
16 and it was warm enough that I could have my window
17 open. At 5:30 in the morning I hear one helicopter
18 come and become stationary and start to rumble. Then
19 I heard a second come. Then I thought I heard a
20 third; it could be two or three but one is too many.
21 For some reason they stayed there for probably 15 or
22 20 minutes.

33 (Pages 126 to 129)

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1 Now, one of the components of this study
2 is to do noise sampling. One of the things that is
3 absolutely insidious is the low rumbles of
4 helicopters. I do not know how one can measure that
5 but obviously there must be a way with the technology
6 that we have today to measure that. But personally
7 it just goes into my whole system, my bones, my
8 psyche especially when you're lying in bed and you're
9 not thinking about much else than wanting to get back
10 to sleep.

11 The word is insidious. I don't know how
12 else to describe it but we need to put limits on
13 these helicopters and the time that they can hover.
14 We need to encourage pooling. I understand that
15 there are egos involved and there are corporate
16 identities involved with all of these new stations
17 but they serve the citizens. They serve our
18 communities, and if it is bothersome to us, they
19 should recognize it and should be able to come up
20 with some sort of a compromise.

21 Maybe this has to be mandated but there is
22 no reason for there to be five different helicopters

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1 the people from California to come. It seems to me
2 that a study centered around the New York
3 metropolitan area is one where you should come up and
4 get the sentiment right up there from the people.

5 I think that's basically it. I'm very
6 happy to be able to have this opportunity to speak to
7 all of you. I know that the FAA and the public and
8 the industry representatives will be able to come to
9 some sort of an understanding on this. We have to
10 work together. It's all answering the public. I
11 will say thank you very much.

12 MR. LIU: Thank you, Mr. Sherman.

13 The next comment for review will be
14 comment number 62 by Joanne Downs from New York.
15 (No response.)

16 MR. LIU: There is no response. We will
17 move on to comment number 63 from the Peach Street
18 Block Association.

19 MS. MUELLER: Could I just say one thing?

20 MR. LIU: Sure, come on up.

21 MS. MUELLER: I just waited to the end of
22 all the testimony and the last one -- well, there's

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1 looking at stationary traffic. I certainly
2 understand what Mr. Silver was talking about having
3 seen so many reports from California and the way that
4 the helicopters particularly like to go after chases
5 of various sorts.

6 One of the things in this noise study in
7 particular that I would suggest is the study actually
8 studies noise out of our residential communities. I
9 think that one of the two sights that were chosen is
10 Liberty State Park which is a park, and the other was
11 the downtown Manhattan heliport.

12 I would also invite the FAA to come to
13 Weehawken and to take measurements from our
14 community. I would also invite the FAA to come to
15 the New York metropolitan area which is the center of
16 the study. We all took a day or two or three of our
17 time to come down to Washington. New York's a great
18 place; you'll have a great time, and you can come see
19 the view from Weehawken.

20 So, please come up and get some public
21 input from New York City residents and Hudson County
22 residents and whoever may want to come. We invite

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1 one from California, I guess. But if you go back and
2 look through all the different testimonies from New
3 York City and you would plot it around to the
4 metropolitan area, you would find that the concept of
5 rerouting -- I just want to emphasize this does not
6 work. No matter where the helicopters go, whether it
7 is on the west side or on the east side, Roosevelt
8 Island, Brooklyn Heights, Weehawken, Chelsea, we get
9 complaints. Thank you.

10 MR. LIU: Thank you for your input.

11 The next one is from Albuquerque, New
12 Mexico. David Menacuchie? Comment number 64, is
13 there any representation?

14 (No response.)

15 MR. LIU: Okay, I believe that is the last
16 one as far as what is in the proceedings.

17 Mr. Silver?

18 MR. SILVER: I didn't mean to interrupt.

19 MR. LIU: I was just going to ask if there
20 is anybody else who would like to step up and make a
21 comment. Irene identified that her submission
22 included in the packet in front of you. I would like

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1 to allow her to go ahead and provide her testimony or
2 her comments right now in support of her submission.
3 We will call that one 64(a) for now and log it in
4 there.

5 MR. SILVER: While she's on the way up,
6 may I introduce those?

7 MR. LIU: We can do that.

8 MS. HOWIE: My name is Irene Howie. I'm
9 here representing Air Methods Corporation. At the
10 outset I will say that, as you know, I was a little
11 dismayed that the comments did not make it into your
12 book even though it was filed on September 14th with
13 the docket. I would ask that it be inserted in the
14 compilation of comments in the order in which it was
15 submitted.

16 Air Methods, for those of you who don't
17 know, is the largest publicly held provider of
18 emergency medical transportation services and
19 equipment in the country. It's got an extensive
20 network of community-based operations and serves over
21 40 hospitals across the nation. So, it has a great
22 deal of local community experience and understands,

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1 for the FAA to take into account in its study as it
2 lays out the spectrum of facts associated with this
3 issue that both public agencies and commercial
4 operators engaged in EMS operations that some public
5 operators often use surplus military helicopters in
6 these operations that tend to generate higher levels
7 of noise than their commercial counterparts.

8 Again, we would request the FAA to take
9 note of the possible discrepancy in noise levels
10 within the EMS category because of this issue on the
11 FAA's specific questions regarding question 3 which
12 has to do with the impact of restrictive air traffic
13 control procedures on the operations of among others
14 EMS operations. Air Methods would urge the FAA to
15 consider, as we believe it will, that EMS helicopters
16 perform a unique role in the air transportation
17 system and that minutes and even seconds can mean the
18 difference between life and death for a patient.

19 Some of the comments that I've seen, and
20 there seem to be very few advocating special routing
21 for EMS helicopters, detract from this critical time
22 issue that EMS helicopters are involved in everyday.

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1 based upon years and years and years of dealing with
2 these local communities, the perception of
3 communities to emergency medical helicopter
4 operations.

5 Based on this experience, local community
6 experience, Air Methods filed comments, as I said,
7 and I'm just going to highlight four of the main
8 points that are in the written comments for the
9 company. As the discussion has pointed out this
10 morning and at the previous workshop and in most of
11 the comments that have been filed, individuals are
12 willing to accommodate the noise generated by
13 helicopters engaged in EMS operations.

14 One question that Air Methods would like
15 the FAA to consider, and it has been mentioned this
16 morning also, is the idea of identifying helicopters
17 engaged in EMS operations by some kind of a device so
18 that the public can understand that that is what that
19 helicopter is doing in the middle of the night waking
20 them up.

21 It is also -- and this is a point that I
22 have not heard raised -- we believe it is important

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1 Any consideration of restrictive air traffic
2 procedures, whether it be altitude or routing, should
3 continue to recognize that fact and exempt EMS
4 operations.

5 On the fourth question that has to do with
6 recommended solutions to the problem, Air Methods
7 would support flexible ATC procedures to encourage
8 fly-over heights of 1,000 to 2,000 AGL for operations
9 over densely populated areas, again, provided that
10 these procedures exempt emergency operations. Air
11 Methods had absolutely no difficulty adhering to such
12 procedures when the company's helicopters are engaged
13 in non-patient-related activities such as maintenance
14 or public relations and that kind of thing. Thanks.

15 MR. LIU: Thank you, Irene. We will
16 correct the submission and make sure it is accounted
17 for in the proper order that it came in.

18 Mr. Silver, would you like to add
19 additional comments?

20 (Pause.)

21 MR. LIU: Was that in the docket? Was
22 this in the first package? I'll look it up.

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1 MR. AUERBACH: My name is Don Auerbach
2 representing Congresswoman Carolyn Maloney who
3 represents the east side of Manhattan and to the west
4 side in Astoria, Queens, just briefly here. We
5 submitted a comment letter in July which for the most
6 part goes to the FAA study itself and the way it was
7 designed and some flaws that we hoped would be
8 corrected and that the FAA seems to be working to
9 correct.

10 First of all just by looking at the
11 comments that have been submitted today, you can see
12 why this is such an important issue for my boss and
13 for the New York Congressional delegation. This is
14 something that comments in the record are submitted
15 by local, state, and federal officials who are very
16 aware of this. As you can see, it's an extremely
17 constituent-driven issue.

18 On that chart that Sandy Liu had at the
19 beginning of the morning's proceedings where he had
20 the FAA working off of our instructions, the part
21 that you neglected to put there were the groups of
22 people back in the districts telling us what to do.

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1 Finally, I just wanted to tell everybody
2 here, our constituents as well as the agency, that my
3 boss and other members of the New York delegation
4 working with representatives from around the country
5 did introduce helicopter legislation in this
6 Congress.

7 This is something we plan to do again in
8 the future. We plan to take the findings from the
9 FAA and go forward with this. I just wanted you all
10 to know that our door is open to all of you, both
11 industry and constituent. We are here because the
12 constituents have gotten us to this point. We
13 represent them but we do want -- I invite you all to
14 come to our office and talk to me about this and our
15 other staff members working on this issue.

16 We would like to introduce something that
17 is a consensus approach supported by both sides, not
18 necessarily that there are sides or adversaries here,
19 but we are going to do something that we think
20 addresses the concerns of the constituents in New
21 York who have gotten us to this point today. So
22 thanks very much. We look forward to the final

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1 We're here to represent them. So, you should
2 understand that our concerns are really driven by a
3 community that is very energized in New York City and
4 around the country. We are here to make sure they
5 have a voice.

6 I'm not going to comment specifically on
7 our letter since it's pretty long. Our two major
8 concerns, however, are one, that we wanted to see the
9 number of helicopter traffic in New York City
10 quantified, and two, we wanted the study to focus on
11 the impact on people and the impact on people's lives
12 of helicopter noise.

13 We understand the FAA is under some
14 extreme budget constraints and time constraints here,
15 but if they're not able to go to that level of
16 detail, we would like to see them at least
17 acknowledge that there is a concern here and that
18 this is something that they think would be something
19 that could be studied in the future and that should
20 be considered in addition to the analytical data that
21 they submit.
22

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1 product of the FAA. Thank you.

2 MR. LIU: Thank you for those comments.
3 We're going to have additional comments? Just to let
4 you know, those comments aren't in print because they
5 got here after the published comments you have in
6 front of you, but they will be in the official
7 docket. Like I said, most of this stuff will be
8 scanned and posted on the website.

9 MR. RANKELL: Good morning. My name is
10 David Rankell. I represent the Sherman Oaks
11 Homeowners Association. We are the largest
12 homeowners association in the state of California.

13 I do want to start off by saying that,
14 one, we feel this issue is very important, important
15 enough for us to fly out specifically for this one
16 meeting alone, turn around and go back and work on
17 our other community issues.

18 I want to address a couple points. The
19 letter was submitted and received yesterday,
20 Thursday, October the 19th. First off, I wanted to
21 just touch on what Sandy had mentioned at the
22 beginning of this meeting, which is the FAA is kind

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1 of on the fence. They have to walk on the fence, as
2 he put it, and it's very true. They have to balance
3 the interests and needs of both the aviation
4 community and the residential community safety issues
5 as well as environmental issues. However, what hits
6 me square in the face when we're discussing balanced
7 needs and balanced issues is the following.

8 There are hundreds of thousands if not
9 millions of people across this country that are
10 affected by aircraft noise. Right now I'm not
11 referring to just helicopters, but in many instances
12 particularly helicopters. That we have millions or
13 thousands of people affected and it's the job of the
14 government and should be the job of the Federal
15 Aviation Administration to determine what is the
16 greatest good for the greatest number and the fact
17 that we have an industry in aviation, and
18 particularly today the helicopter industry, that can
19 advocate for their industry over the good of
20 thousands, hundreds of thousands of residents, we
21 find to be disturbing.

22 We believe the FAA should at this point in

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1 for them to come today and say, oh, we want to fly
2 higher, but the FAA won't let us, isn't necessarily
3 the case. And it's not the case in a lot of areas
4 that we live in, because we see it. The FAA is also
5 the main governing body our city governments, county
6 governments and state governments all point the
7 finger back at the FAA. There is nothing that they
8 can do, and the FAA needs to do what they can. That
9 means put regulations in place within a reasonable
10 period of time and meaningful restrictions and
11 enforce the restrictions.

12 We would have liked to have seen the
13 voluntary curfews or altitudes work. They haven't.
14 It's been a complete and utter failure nationwide.
15 Coast to coast, I'm not aware of any area that's
16 severely impacted with aircraft noise, particularly
17 helicopters, where a voluntary curfew has worked. I
18 could be corrected, but as to this point in time, I'm
19 not aware of any community that will come out and say
20 voluntary curfews work or voluntary minimum
21 altitudes.

22 The other issue I wanted to mention that

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1 time implement either mandatory minimum altitudes,
2 AGL, as well as curfews. And our basis for this is
3 the following. If the industry, as they said today,
4 believes that they would like to fly higher and they
5 can fly higher, then they should be flying higher,
6 and we have a big country. We have a lot of areas
7 that are populated and we have a lot of areas that
8 don't have a lot of air traffic. They can be flying
9 higher. It's their job to lobby the FAA to fly
10 higher.

11 And so as an organization of the
12 helicopter industry, they should be flying higher.
13 That, folks, reduces noise, period.

14 I wouldn't be here today, Mr. Silver
15 wouldn't be here today, the folks from New Jersey and
16 New York wouldn't be here today if they were flying
17 higher and if they were flying routes that didn't
18 disturb residential dwellings. So that's the issue.
19 And as much as we appreciate hearing that they want
20 to fly higher, they should have already been doing
21 it.

22 We understand there are certain areas, but

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1 the community that I represent, Sherman Oaks, and the
2 community groups that I work with, I have never heard
3 the group's official position be one of -- let me
4 rephrase that. Emergency aircraft and air flight is
5 essential. Any one of us can have a heart attack at
6 any time and need to be transported someplace
7 immediately.

8 We fully support what they're doing and
9 believe that they should continue to do what they're
10 doing. We support the idea of having beacons so that
11 we can identify emergency flights. That takes a lot
12 of the burden -- actually, the burden's not on them.
13 It takes the burden off of the aviation, the rest of
14 let's say the helicopter operators, because then we
15 can go and we can look at the data and determine that
16 that fight that woke me up was an emergency flight.
17 Okay, somebody's life is being saved. I'll accept
18 that. That's a good idea, and we want to go on
19 record as saying that we don't oppose that, and
20 there's really no reason for the emergency medical
21 service helicopter folks to feel that there is.

22 And the other last point, and I'll

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1 conclude, is that I have not heard from one elected
2 official anywhere within the country or my state of
3 California that has come out and stated that they
4 oppose minimum altitudes or mandatory curfews. It's
5 not something I've heard.

6 I would like to hear if any elected
7 official believes it or will work toward opposing any
8 minimum altitudes or curfews. That says a lot. That
9 says that the constituents have spoken, the elected
10 officials have listened. They've accepted,
11 acknowledged, and now they're requesting the Federal
12 Aviation Administration to do something about it, and
13 that's why we're here today. Thank you.

14 MR. LIU: Thank you, David. Mr. Silver,
15 would you like to comment? We'll get to you, Pat.

16 MR. SILVER: Gerald Silver speaking on
17 behalf of the National Helicopter Noise Coalition.
18 In reviewing the record, I have three additional
19 submissions here that were copied to us that either
20 were in the record and I didn't see them -- and
21 that's possible -- or they were inadvertently
22 omitted.

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1 by the way, is to gather these letters that go to
2 these federal agencies that they don't always end up
3 in the record. I guess maybe the industry needs to
4 do something similar.

5 Finally, I have a letter from Howard Perry
6 Beckman, an attorney-at-law in San Lorenzo,
7 California. This letter is dated July 22nd, 2000
8 commenting on this document which I did not see in
9 the record. But I haven't thoroughly studied every
10 page in it. And basically he does have concerns
11 about pilot training of helicopters. He raises
12 traffic pattern concerns, routine patrol by police
13 and their elevations and new regulations are needed.
14 He says failure of the FAA to adopt minimum altitudes
15 over populated areas is unconscionable.

16 So I'd like to submit this, Mr. Liu, if
17 you already don't have it in the record. Thank you.

18 My last submissions are hard copies to go
19 along with 56A, and just to identify them for the
20 record if I may please, these you'll probably all
21 identify together collectively as 56A. Is that
22 correct, Mr. Liu? This is the documentation to go

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1 I have here a letter on July 7th from the
2 Regional Commission on Airport Affairs from Lawrence
3 Cobari to Sandy Liu, cc U.S. Representative Adam
4 Smith. And the point that's being made in this is it
5 says we get 17 days' notice for this hearing. And
6 the thrust of this is that they were quite upset with
7 the procedural aspects, the short notice requirement
8 for the trip and so on. So I didn't see that in the
9 record. Mr. Liu, but can I just hand you this and you
10 can number it accordingly?

11 Second, I have here a letter that was sent
12 to us but it was actually addressed to FAA office of
13 counsel. This is Wednesday, August 23, 2000 from the
14 Citizens for a Quiet Environment, and that was signed
15 by Mr. Stephen O. Frazier, F-r-a-i-z-e-r. Their
16 comments mirror many of the comments that have been
17 made. I won't repeat them now, but they recommend a
18 2,000-foot minimum altitude AGL, including special
19 beacons and things of that sort. So I think the
20 letter speaks for itself, but I want to be sure it's
21 in the record. So you can number that accordingly.

22 One of the functions of a community group,

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1 with my earlier presentation. I wanted to
2 specifically identify each if I may. There are not
3 too many.

4 One is a letter to Jane Garvey from the
5 National Helicopter Noise Coalition dated December
6 31st, 1997, and it says "Regarding FAA's failure to
7 properly address helicopter noise". So here we are
8 almost three years later beginning to address that,
9 and that needs to be in the record.

10 I also want to put in the record a
11 documented dated June 19th, 2000 from the city
12 attorney of the city of Los Angeles addressed to the
13 Board of Airport Commissioners wherein a request for
14 a helicopter curfew is being made. So that's our top
15 city attorney in the city of Los Angeles saying we
16 need helicopter curfews and moving that forward.

17 I also have a letter here from Congressman
18 Brad Sherman, 24th District. That's dated January
19 28, 1999. And that asks for a detailed helicopter
20 study in the San Fernando Valley.

21 I also have attached to our testimony two
22 other documents. One of them is entitled Van Nuys

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1 Report. Helicopter Operations 11:00 p.m. through
2 7:00 a.m. That's during the evening hours from
3 August 27th, 1997 through August 20th, 1999. This is
4 a report prepared by Homeowners of Encino from
5 records obtained specifically from Los Angeles World
6 Airways detailing specifically the helicopters that
7 took off during the evening hours and those that are
8 police, fire and so on, so you'll have some kind of
9 documentation to support the claims that we're making
10 of these night operations that are distressing.

11 There is also a document, the same kind of
12 information, that's dated January 1st, 1997 through
13 July 31st, 1997. That's valuable. Because, again,
14 there are charts in here drawn from information at
15 the airport that is valuable in terms of assessing
16 what kind of operations are taking place, the
17 percentages and so on. I'm sure industry would like
18 to look at that report as well. These have been
19 previously submitted to the airport.

20 The other submissions are a flyer who is
21 behind the barrage of helicopters that wake you up
22 each morning. That is from Stop the Noise Coalition

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1 additional comments now. Pat, did you want to make
2 any comment?

3 MR. MALLIN: My name is Pat Mallin,
4 president of Whisper Jet Corporation. We manufacture
5 the world's quietest helicopters. And I think the
6 study that the FAA is working on and will be
7 submitting to Congress in the spring of next year
8 would be incomplete in every way if it did not
9 address the issue of quiet technology and what is
10 possible in quiet technology.

11 There may be a few people in this group
12 that remember me from New York. We operated
13 helicopters there for many years, and I see Marnie
14 smiling. I hope it's just a smile and not a laugh,
15 Marnie. But it's true. Quiet technology is
16 possible. We've done it. We've proven it. The
17 aircraft is certifying. There are two units flying
18 in the Grand Canyon right now, and we all know it's a
19 very environmentally noise-sensitive area. It's a
20 great machine.

21 We will be demonstrating the aircraft up
22 the East Coast within the next month. I would

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1 that defines the local problem. And then I have some
2 additional material, three or four documents, some of
3 which may or may not be in the file, but I think
4 they're very important.

5 There is a letter dated December 12, 1994
6 from the Los Angeles County Board of Supervisors
7 signed by the Honorable Xavier Yaraslavsky addressing
8 the increased problems of helicopter noise and
9 specifically a request for minimum altitudes and some
10 other recommendations that'll be cleared for the
11 record.

12 And finally, I have three documents, and I
13 won't go into them. Simply to say that these are
14 documents that address regulatory docket 27371.
15 That's very important because that 27371, with the
16 thousand foot minimum altitude that we requested and
17 with all of the logic, legal arguments and supporting
18 positions, so those are the only documents we would
19 like to add to the appendix. Thank you. And that's
20 all we have. Thank you.

21 (Pause.)

22 MR. LIU: We'll move on and ask for

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1 entertain discussions with anybody in any local
2 communities in the New York area that might want to
3 work with me on scheduling the noise testing and so
4 on so you can be a part of it.

5 We also invite the FAA to participate if
6 they would like to do it. But it is possible to
7 develop technology where the aircraft can be much
8 more quiet. I believe my own opinion that raising
9 altitudes is an impractical matter, mostly because in
10 an area like New York City, the Class B air space
11 starts at 1,500 feet, which is the number we talk the
12 most about. At 1,500 feet, you then come under
13 traffic control conditions, and the focus is always
14 going to be on the larger passenger-carrying
15 transport jet aircraft and far less on the
16 helicopters.

17 Since most major urban areas are also
18 around large airports, I think getting 1,500 feet or
19 more might be something nice to talk about but not so
20 easily achieved.

21 Also, various helicopters make various
22 levels of noise, and 1,500 feet might work for a

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1 smaller machine, but some of the larger aircraft, the
2 noise level they generate at 1,500 feet can be
3 objectionable.

4 Rerouting becomes a problem as well,
5 because if it's a major area with a heliport in the
6 city itself, you're going to have to descend through
7 those altitudes obviously in order to get into the
8 heliport. So ultimately, I think everyone would have
9 to agree that the best way to do it is to make a
10 quiet helicopter, and that's what we have done.

11 So I'll just leave you with that thought.
12 And if our friends from New York -- I have some
13 business cards I will be happy to give out. And
14 again, we expect to be working on a timetable
15 probably early December right after the holiday in
16 November. I'm going to be here for a while today if
17 anybody would like to talk as well. Thank you.

18 MR. LIU: Thank you, Pat. Is there any
19 additional comments that anybody would like to offer,
20 other than --

21 MR. SILVER: Sherri Kippel from West
22 Orange, New Jersey. Have you received that yet?

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1 to be what in the market?

2 MR. MALLIN: Assuming you're ready to
3 place an order.

4 (Laughter.)

5 MR. SILVER: If you keep the pressure up,
6 we might.

7 MR. MALLIN: The aircraft sells -- it's a
8 remanufactured Sikorski aircraft that sells for \$1.7
9 million. We have, as I said, two flying, and we're
10 on the track to produce five or six a year right now.
11 It would be great for TBU. Some of the microwave
12 equipment that they use will be all inside, nice and
13 neat.

14 MR. SILVER: Give us your card.

15 MR. MALLIN: I will.

16 MR. SILVER: We don't have an alternative.
17 But it would be nice to have an alternative.

18 MR. MALLIN: It's a powerful aircraft,
19 7,700 pound gross weight aircraft. And when you talk
20 about air tourists, it's nine-passenger air tour
21 aircraft. If this aircraft even at the same noise
22 level has an existing aircraft, you could have 33

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1 MR. LIU: The one that they're going to
2 fax to us? We've run over. We can offer a break.
3 I'll go check my fax machine.

4 MS. MUELLER: I forgot to ask him what the
5 decibel level is on this quiet.

6 MR. MALLIN: The DBN or direct overhead
7 flight over 64.1. I'll be happy to send you the
8 data. That's direct flyover. Now if you go to 1,500
9 feet.

10 MS. MUELLER: How high did you say that
11 was?

12 MR. MALLIN: Five hundred feet.

13 MR. RANKELL: Direct flyover?

14 MR. MALLIN: DBA, not EPDN or anything
15 like that. Put it in your computer and get an
16 answer.

17 MR. RANKELL: That's the tail rotor, then
18 you're clearing up the problem. It has a tail rotor.
19 We are working to even make it quieter because right
20 now the tail rotor of that 64.1, the tail rotor isn't
21 the largest generator.

22 MR. SILVER: And the cost of this is going

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1 percent fewer flights because it carries 33 percent
2 more people. So it's a win all the way around.

3 And again, all of the discussion I've
4 heard here this morning, nobody has been talking
5 about new technology, and that's where it has to come
6 from. This is going to be a battle forever, and we
7 have to make the aircraft quieter.

8 MR. SHERMAN: New technology will come
9 faster obviously if there are certain regulations and
10 then the industry listens to them.

11 MR. MALLIN: I think you're right. But
12 the lag time in that happening, I mean, all you need
13 to do is see how long we've been talking, and Marnie
14 and I have been arguing for many years.

15 (Laughter.)

16 MR. SILVER: One of the reasons that we
17 have not pushed new technology is because passenger
18 load and number of operations can quickly override
19 that gain, just as we saw with stage two and now
20 we're going to stage the aircraft, where the CNEL
21 shrunk around the airports with new technology, but
22 those additional operations now expand the CNEL

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1 larger even when they started. So definitely some
2 regulation is needed in addition to new technology.

3 MR. MALLIN: In my submission the docket,
4 which is in the first book, what I recommend, just
5 like a park 150 airport, that rather than talk about
6 altitudes, we should talk about noise levels on the
7 ground and then adjust the altitude to fit that noise
8 level.

9 Because again, as I said a moment ago, a
10 helicopter weighing 12,000 pounds is going to make a
11 lot more noise at 1,500 feet than one weighing 6,000
12 pounds, so it isn't really the altitude shift you
13 need to chase. You need to get the noise level, and
14 say if your helicopter makes, whatever you choose as
15 a number, 72 dBA, if makes more than 72 dBA, you have
16 to fly it higher until it doesn't make 72. And if
17 that has you at 5,000 feet, so be it.

18 MR. RANKELL: The problem is it becomes a
19 regulatory nightmare and our local governments then
20 are burdened with enforcing it.

21 MR. MALLIN: I operated, in between my
22 helicopter careers, I operated sea planes for a

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1 with let's just say ten operations and tomorrow
2 there's a hundred?

3 MR. MALLIN: There's ways I think of
4 weighting that to make it be something that's
5 palatable, and maybe that's the forum that really
6 needs to go forward is to have -- well, what I'm
7 saying is that if you only have one flight a day, it
8 can be 70 dBA, and then if you have 20 flights a day,
9 you add it together and divide and you come up with
10 weighted number. But that's where this forum really
11 needs to go forward, is industry and the concerned
12 groups coming to that, because in the end, that's
13 what it's going to take.

14 MR. SILVER: And then marginally priced a
15 trip, right? The first buyer gets a \$12 flight, the
16 last a \$1,200 flight.

17 MS. MUELLER: This is directly overhead
18 the dBA. What's the company policy?

19 MR. MALLIN: You mean on takeoff?

20 MS. MUELLER: No. Say, you know, I'm
21 sitting on 77th Street. It's coming across toward my
22 house.

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1 while.

2 MS. MUELLER: Yes, we know. We got you
3 out of that business.

4 MR. MALLIN: Just to let you know, it was
5 only because Mayor Giuliani's desire to put me out of
6 business was deeper than my pockets.

7 (Laughter.)

8 MR. MALLIN: That's the reason why there
9 aren't any sea planes anymore. But we found -- and
10 we flew up into the CBA all the time, and it was much
11 easier to get there in our aircraft than a
12 helicopter. So we were at 1,500 feet, 1,700 all the
13 time.

14 But I think that's how it has to be worked
15 out. You have to establish some kind of a reasonable
16 noise level, maybe phase that in to let design for
17 the industry to catch up, but eventually I think
18 that's what everybody wants. And I live on Long
19 Island, and helicopters fly over my house all the
20 time, and I don't like it one damn bit.

21 MR. SILVER: But how do you address
22 reasonable noise levels that everyone agrees upon

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1 MR. MALLIN: 64 dBA. The footprint we all
2 know twitches out a little bit in the front. Sixty-
3 four. That's the most it is.

4 MS. MUELLER: That's the most it is? I
5 see. And then you said you're working on the tail
6 rotor. How much do you think you can get that down?

7 MR. MALLIN: Well, we've gotten it down
8 lower, but we ran into some technical problems.

9 MS. MUELLER: It couldn't stay up in the
10 air?

11 (Laughter.)

12 MR. MALLIN: No. The helicopters were
13 primarily designed for the Grand Canyon, and in the
14 spring the Canyon has very serious turbulence issues,
15 so we had to kind of back drop, but we're working on
16 some other things. And right now we're starting to
17 focus. I'm getting a lot of calls. We're working on
18 production right now. We have a facility.

19 MR. LIU: So we'll reconvene. We'll take
20 lunch and reconvene to address that other one,
21 because I need to go check my office.

22 VOICE: What time?

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<p style="text-align: right;">Page 162</p> <p>1 MR. LIU: We can do it in an hour. It's 2 25 to one, so 25 to two? 3 (Rccccss.) 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p style="text-align: right;">Page 164</p> <p>1 last-minute emergency has prevented my trip. 2 The types of helicopter operations that 3 elicit the most negative response are low-flying 4 helicopters all times of the day and night. The 5 flights are primarily from Newark to Morristown 6 Airport. Residents report property damage, loss of 7 sleep, inability to communicate or enjoy their homes 8 and fear of crashes. They say their home shakes, the 9 windows rattle, and sudden onslaughts of intense 10 noise cause mental distress. 11 Examples of property damage are that one 12 homeowner's storm door shattered. Another person saw 13 the toilet bowl crack as the helicopter flew 14 overhead. The helicopters fly at all times of the 15 day and night. Since I moved here three years ago I 16 personally have been unable to sleep a full night 17 because of the noise and can tell you they go over 18 all night long. 19 To hear a helicopter at 3:15 in the 20 morning is not uncommon. I have had to purchase a 21 headset with noise cancellation technology just to 22 live in my home. When asked what air traffic control</p>
<p style="text-align: right;">Page 163</p> <p>1 AFTERNOON SESSION 2 (1:45 p.m.) 3 MR. LIU: We're going to reconvene here. 4 This afternoon what we'll do is continue on with the 5 comments review. There was one that was faxed in 6 that wanted to be read or presented. If you'd like 7 to come on up. 8 MS. SILVER: Hi. My name is Myrna Silver. 9 I'm reading this on behalf of the Coalition to Quiet 10 Our Neighborhood in West Orange, New Jersey. I am 11 writing as representative of a group of 215 12 homeowners in the Gregory-Northfield area of West 13 Orange, New Jersey, a suburb 23 miles from New York 14 city, and within ten miles of Newark International 15 Airport. 16 In addition, I am conveying input I 17 received as a response from letters to the editor 18 recently published in local and regional papers. I 19 received 320 e-mails and telephone responses to my 20 letter requesting input to present to the FAA today. 21 It was my plan to come personally to 22 present these concerns of these homeowners, but a</p>	<p style="text-align: right;">Page 165</p> <p>1 procedures they would like to see implemented, 2 residents requested a minimum altitude of 1,500 feet. 3 That would mitigate the noise. 4 Helicopters navigate near Interstate 280, 5 which runs through West Orange. These residents are 6 already besieged by automobile noise and want the 7 routes spread out so they do not receive a 8 disproportionate amount of the noise. 9 Curfews are requested. We favor a 10:00 10 p.m.-7:00 a.m. curfew. Sincerely, Sherri Kippel. 11 MR. LIU: Thank you, Myrna. I'll open it 12 up for additional comments that would like to be 13 submitted or voiced. 14 MR. SILVER: I came in a little late. 15 Could you review the timeframe now of when comments 16 close? 17 MR. LIU: If you read the Federal 18 Register, the 15th was official, because this is a 19 rulemaking process. Prior to that, we told people 20 the 25th was fine. Then the reality of this workshop 21 is that comments are allowed to be submitted at this 22 point.</p>

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1 So you might constitute today as your last
2 day, but within reasonable time, you know, because
3 we're allowing additional comments flowing within a
4 week or so timeframe. But I'd like to keep it as
5 close to this workshop as possible. If it starts to
6 go beyond definitely a calendar year, we'll be
7 wrapping things up near that time in terms of trying
8 to summarize all the input.

9 MR. SILVER: The docket number. Is that
10 the same of the original? There was reference to a
11 second docket number.

12 MR. LIU: The docket number has been the
13 same three years running. That hasn't changed. We
14 just had two Federal Register notices, one with the
15 original due date. The second one was an extension.

16 MR. SCHOMER: I was seriously going to
17 suggest one to two more weeks.

18 MR. LIU: Preferably, we really want to
19 put it in. Beyond that, it takes us away from trying
20 to get a handle on it.

21 MR. SILVER: Do you have a new electronic
22 process for handling these documents?

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1 the format submission and the things like that.

2 I haven't delved into that because I
3 haven't worked the new process just yet. I will be
4 because I think the next thing on my agenda down the
5 line is going to be some to bono regulations that I
6 think will fall into that new mode of docket
7 operation or processing.

8 MR. SILVER: What about the 1976 noise
9 policy revision? Is that going to be manual or
10 electronic?

11 MR. LIU: You mean the ANAP? Is that what
12 you're asking? That docket, 301 --

13 MS. SILVER: Yeah, that's the one.

14 MR. LIU: I'm not sure. If that's under
15 the DOT, then I'm not addressing that. Patty Klein
16 from our office -- she's on the team at the airport
17 side of that, is addressing that.

18 MS. SILVER: I thought that was your
19 department.

20 MR. LIU: It is our department, but we
21 have different project engineers or people in our
22 office that are responsible for that element.

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1 MR. LIU: No. I'm saying within the
2 processes of the FAA and the dockets now, I believe
3 there's going to be a new electronic submission
4 that's through the Department of Transportation
5 website and things like that.

6 For this project, we're under the old
7 system. That's why you provide three hard copies,
8 and that process has probably in effect for the last
9 several projects. I believe they're now shipping to
10 that electronic acceptance.

11 MR. SILVER: I understand that the
12 existing project -- can I ask if you can just briefly
13 review how the new electronic process works? What's
14 the difference. We frequently have need to comment.

15 MR. LIU: It's going to be specific to a
16 docket that addresses a certain issue. So, again,
17 you have to go to the Federal Register to review
18 whatever actions are being taken and follow the
19 procedures in there, and it outlines probably the
20 same information that this did on top of the fact
21 that there may be a website, and that website in of
22 itself will probably have additional information on

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1 MR. SILVER: But what I'm asking is we
2 will be able -- can we encourage members to submit
3 electronic e-mail comments for the noise policy
4 revision policy?

5 MR. LIU: You'll have to go back and look
6 at what the Federal Register notice says. I don't
7 have feedback on that.

8 MR. SILVER: And finally, you have one
9 other docket on noise metrics on standardizing with
10 ICOA and so on.

11 MR. LIU: The harmonization NGRN.

12 MR. SILVER: I'd like to hear whether or
13 not there's any intent to change the levels of noise,
14 or is this strictly a mechanical equivalency?

15 MR. LIU: Okay. Let me just close the
16 opening comment submission process now, then we'll go
17 -- also I'll go over here and go over that and I'll
18 be able to answer your questions, okay? Okay.

19 So if there's no further comments for this
20 workshop. Yes?

21 MR. SHERMAN: Were you going to review the
22 processes from now until the end? In other words,

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1 the comment period is going to be closed within a
2 week or two.

3 MR. LIU: Correct.

4 MR. SHERMAN: And then what exactly
5 happens?

6 MR. LIU: We're going to compile all that
7 information and start writing a report.

8 MR. SHERMAN: With recommendations?

9 MR. LIU: Correct. Do an outline based on
10 the factors which we discussed today. I mean we
11 tried to -- that list that I went through. Those are
12 what I would call the major elements in addition to
13 anything that might be coming in as of today or the
14 next week or two. So if there's anything different,
15 then we'll include that of course.

16 MR. SHERMAN: What about the issue that
17 that I mentioned before, the suggestion that I
18 mentioned, and I think other people have mentioned,
19 too, which is to go out there and get comments at the
20 source? In other words, scheduling some sort of
21 workshop up in the New York area?

22 MR. LIU: I don't believe it was in the

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1 draw from the information submitted and surmise that
2 information as best as possible and submit that to
3 Congress.

4 MR. SILVER: And that submission will
5 include all these addendum that we have?

6 MR. LIU: There will be an appendix, yes.
7 We'll include that. But of course they're going to
8 put an executive summary in.

9 MR. SILVER: Right. But there's some very
10 descriptive appendix. They're not just like tables
11 of noise levels. Will those be distributed with the
12 report or available with the report?

13 MR. LIU: The information that we have
14 gathered, you say? Yes. That will be, like I said,
15 in an appendix, so that people can refer to that.
16 That was the point in getting all this information.

17 MR. SILVER: And that will go to each
18 member of Congress?

19 MR. LIU: I don't know who they distribute
20 to. It goes out of the Department of Transportation
21 or the secretary, and whoever -- I assume definitely
22 all the congressional offices that initiated this,

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1 planning of this project that we would go out across
2 the country and scope it at that turn. The Federal
3 Register intent was to try to draw in information
4 from the country, and this would be the place we'd
5 pool that information through submissions and
6 comments.

7 Unfortunately, I don't think within the
8 scope or within the budget of it, anything like that,
9 we can really go out to the individual portions of
10 the country to really scan. And that's what I was,
11 you know, I think a lot of the submissions kind of
12 reflected the sentiment, so I hoped that that would
13 be representative. If there's anything else that you
14 feel was missed, then I ask you this is the time to
15 voice that.

16 MR. SILVER: The question I have, do you
17 intend to release the drafts so the technical or
18 clerical errors can be cleaned up, or are you just
19 going to keep the drafts?

20 MR. LIU: I don't think the report is
21 something that's iterated with the public on review.
22 I think we're asked to focus on this, and we will

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1 but all those that request I'm sure that they'll go
2 get copies.

3 MR. SHERMAN: Just to go over the process
4 again. So you'll be making some sort -- or your
5 department will make an executive summary, and it'll
6 go to those people in the Congress who are
7 instrumental in asking for this information?

8 MR. LIU: Correct.

9 MR. SHERMAN: They'll get this executive
10 summary. They'll digest it and they'll decide
11 whether or not there should be some sort of
12 congressional action to mandate certain things? Is
13 that how it works?

14 MR. LIU: Yes, they'll have that control
15 to authorize any further action. It's out of our
16 hands. We're basically releasing the report so that
17 they can have an understanding of the background to
18 decide on the next step.

19 MR. SHERMAN: So the next step may be that
20 they decide on action or decide not to act? That
21 means nothing may happen or something may happen?

22 MR. LIU: Correct. That's correct.

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1 Because as of this project, it really ends April 1st
2 with the submission of our report. Outside of that,
3 the direction is in the hands of the legislative
4 branch.

5 MR. SILVER: You used the term "executive
6 summary". Did you mean the full report will be
7 submitted?

8 MR. LIU: Yes, the full report.

9 MR. SHERMAN: Plus there's going to be an
10 executive summary.

11 MR. SILVER: My concern is that an
12 executive summary, especially it does not include
13 those appendices --

14 MR. LIU: No, no. From our office it will
15 be as complete. Whether they distribute the full
16 report, I mean, that's --

17 MR. SILVER: And with the appendix?

18 MR. LIU: That's right. It will include
19 that.

20 MR. SILVER: That's what decision makers
21 need.

22 MR. SHERMAN: Yes, they need it, except

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1 go ahead and go over and see if I can't answer some
2 questions. I'm going to put the last slide up here.
3 This is the last slide that's in that packet there.
4 (Slide.)

5 MR. LIU: It just kind of outlines further
6 existing activity to develop some of the -- I believe
7 it's clear to say there's a national awareness.
8 People here from across the country recognize the
9 problem, and these are some of the cities that voiced
10 their opinions.

11 And I think within the context of what was
12 submitted, people certainly want to see development
13 of new and updated piloting etiquette as part of
14 that. These are offsprings I think that have come
15 out of this because of the awareness being shown.

16 Recognition of some noise abatement
17 processes possibly. I think the Eastern Region is
18 probably a good example that there is a process out
19 there where they work with some of the communities,
20 and they're active in going out and seeking out the
21 problems and bringing those back to the operators
22 that have control of that.

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1 that they are unlikely to read 500 pages. Let's be
2 realistic. They should get it, but they'll throw it
3 in the garbage.

4 MR. SILVER: But my assumption is they'll
5 be given the executive summary, the full report and
6 the appendices. You've got a number of legislatures,
7 at least on the West Coast. I know both Congressman
8 Brad Sherman and Congressman Howard Berman will want
9 more than simply executive summaries. They're going
10 to want the --

11 MR. LIU: Sure.

12 MR. SILVER: And their staffers are very
13 good at this, and they're going to want to comb
14 through the supporting documentation. So if all
15 that's sent out is an 8 or 12-page list --

16 MR. LIU: No, it's not going to be
17 dwindled down to that as far as the submission. But,
18 of course, everybody's office is different on how
19 they evaluate documents, so I'm not going to really
20 comment on that too much.

21 Okay. So I will close it as far as
22 additional comments for this workshop, and then I'll

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1 I intend to look into that more and
2 understand what goes on so that if there's any
3 process that can be at least documented and shared
4 throughout the country, that may be a positive thing.

5 Identification of some near-term
6 technologies. I think Pat hit it on the head when he
7 came in here and talked about his Whisper Jet.
8 They're unique in the sense that there is one
9 manufacturer who went in that direction of really
10 pushing the issue of quiet technology.

11 I think, again, within the report, that
12 will certainly be an evaluation of where are we on
13 that, what are true hush kits? Do they exist for
14 helicopters? You might consider Pat's a retrofit
15 because it was an older aircraft, but it's been
16 brought up to a quiet mode of operation that is
17 certified. So those need to be understood a little
18 bit, and they'll be expressed in the report to
19 Congress so that they have an understanding at least
20 in the future where the technology is going.

21 As far as this workshop, this is it. I
22 just wanted to thank everybody for their input and

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1 attending. Again, everybody has agreed this is an
2 important issue that requires some attention and deep
3 thought in terms of a solution that would work on
4 everybody's, you know, work for everybody so they'd
5 come to some agreement on keeping the operations
6 necessary and then as well as supporting the public
7 interest.

8 So I will close this meeting and I will
9 follow it with just some informal discussions on at
10 least what our office is doing in the near term.

11 MS. MUELLER: Should the community be
12 commenting on these, on the further submissions? I
13 don't exactly understand what the further existing
14 is. Why is this different than what we've done?

15 MR. LIU: I think there's processes that
16 are already in place that can be improved. There's
17 always a growth in awareness and in development. I
18 think the awareness is that the congressional people
19 go back to their offices and say, you know, our
20 constituents are not getting the data or the
21 information, and that awareness is substantial.

22 MS. MUELLER: I'll just talk louder. The

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1 tried to do that, but if the direction is more of a
2 let's sit down and talk and negotiate and we
3 recommend better dialogue rather than legislation,
4 no.

5 MR. LIU: Don Auerbach spoke up for his
6 congressman. We're going to go that direction, but
7 at the same time he talked about the need to
8 establish a process.

9 MS. MUELLER: You see, that's not the way
10 he structured it. I'm just talking loud so --

11 VOICE: I need to hear Chris or I need to
12 hear Sandy I guess.

13 MS. MUELLER: In his comments, the way he
14 structured it is community people, industry come into
15 my office, we can talk these things over, but this is
16 with an eye toward legislation, toward regulation.
17 The way this is phrased here, it says, though, maybe
18 in some communities we don't need to have an eye
19 toward legislation. We can do more of this Fly
20 Friendly, which -- and going back to what I said
21 earlier, puts an enormous burden on the community,
22 enormous to remain constantly vigilant without being

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1 one that I'm concerned about is the local working
2 abatement process with communities and industry.
3 That worries me that that then works against
4 legislation, that we can again on a voluntary basis
5 resolve these problems.

6 MR. LIU: You've got to understand there's
7 some areas where the concern may not be as intense.
8 Maybe that process would still lend itself to solve a
9 solution. On the New York City level, I don't know.
10 But I don't think you should throw away processes
11 that have been developed. I'm not saying we revert
12 to that. I'm just saying we shouldn't --

13 MS. MUELLER: I just don't know if this is
14 just another way that the industry pushes for
15 nonregulation, if they get voluntary. It sets off
16 alarms in me when I see that.

17 MR. SILVER: I agree with that. And my
18 concern is the same concern with the Western Pacific
19 region. And Los Angeles is not even mentioned on
20 that example list. The Western Pacific FAA region,
21 it's not on your examples, and in terms of working
22 with the helicopters, we'd love to do that. We've

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1 paid, without, you know.

2 So as I said, the alarms go off. I agreed
3 with what he said. I agreed. We've been sitting
4 down for years, you know, and we've been battling
5 these things out within the context of government,
6 okay? And every time they would say Fly Friendly
7 will go to your community, the community would say
8 no, we don't want you to come to our community to do
9 Fly Friendly. We're all in this together and we do
10 this business at the table with the protection of the
11 government. That's what he's saying.

12 And then to think that they now can go and
13 go, you know, swerving around and go, oh in some
14 communities, let's do some more of our Fly Friendly,
15 you know, it defeats the purpose. I mean, I'm not
16 out in that community, so I don't have to do the
17 work, but I don't want to put that burden on another
18 community in the United States. That's my concern.
19 Do you understand the difference? That's my concern.
20 And there it is again. It's popping up again. Fly
21 Friendly without regulation, with nice cooperative --
22

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1 VOICE: I'm not sure I understand the --
2 MS. MUELLER: The difference? There's a
3 very big difference.
4 VOICE: There's a big difference. I
5 understand that. The concern is, I'm not --
6 everybody who spoke here today said the same thing --
7 that the three parties involved, primary three
8 parties, the FAA, the community and the industry,
9 should work together to resolve issues, and that
10 program should not be stopped. It should not be
11 slowed down, it should be expanded and grown.
12 That doesn't mean that there is a
13 potential as we go through this process that we all
14 sit down and say, you know, there is regulatory
15 issues that we should agree on that would get what
16 we're both looking for, and that's part of that
17 process.
18 MS. MUELLER: The other stuff happens
19 anyway. And it's putting it writing there is what
20 bothers me.
21 VOICE: And I think what we don't want to
22 understate is that that program that we've had has

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1 done a lot of good over the years, and you just can't
2 say, well, we're not go address that anymore. We
3 just want regulations that are going to keep them out
4 of the air.
5 In all honesty, your group ultimate's goal
6 is to shut all heliports and restrict all air space
7 to nothing but emergency operations.
8 MS. MUELLER: That's our bargaining
9 position.
10 VOICE: That's fine, but that's not
11 realistic, and there's no logic to that whatsoever in
12 an urban area like New York. That does not give us
13 carte blanche to just fly wherever and do whatever we
14 want. We have to be conscious of what we're doing,
15 and I think we're doing that.
16 MS. MUELLER: That's what we do with an
17 eye toward regulation. You see, that's our problem.
18 We've been just working so hard on this.
19 VOICE: Well, so have we.
20 MS. MUELLER: And what we really don't
21 want are these cooperative things just like that and
22 then the regulation never gets made, and then we're

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1 been very successful. It has changed the complex of
2 helicopter operations with respect even to where you
3 live.
4 MS. MUELLER: I know that, but let me just
5 say, you may have done those things, but you did it
6 -- you know this -- with enormous pressure from the
7 community, and that's why you did it. And with
8 enormous pressure from elected officials. And you
9 always sat down within the context and the protection
10 of elected officials in public offices and you felt
11 the pressure from us, and that's why you had to
12 change.
13 You had to change. But what I'm saying is
14 I don't know why it's there in writing. The problem
15 is when it goes into writing in this, it feels as
16 though it's another, you, what's an end game or
17 whatever that's called. End run.
18 VOICE: There's no end runs here. What we
19 have is a viable program that's been successful.
20 Just pure due diligence says that a group like this
21 should not just ignore it. This is something that's
22 been very effective in a lot of neighborhoods and has

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1 left back there battling that. That's all. I think
2 I've said enough. I put it on the record.
3 MS. SILVER: Fly Friendly in our
4 neighborhoods does not work, period. Does not work.
5 We wake up at 4:30 in the morning with helicopters.
6 We go to bed at 11:00 o'clock at night with
7 helicopters, aside from the other planes.
8 VOICE: Our program is Fly Friendly, and
9 it beyond that. We've actually changed routes that
10 added time to the flights that we have that were
11 voluntarily done by us with no regulatory input and
12 accepted the fact that we're going to take longer to
13 get from A to B, but we're going to lessen the impact
14 on the community. We've done that and it's been
15 acknowledged.
16 MS. SILVER: In the San Fernando Valley,
17 there are routes that would avoid houses. One or two
18 people who don't want it have stopped it. So we need
19 regulation and we need it now.
20 VOICE: I understand your point, but as
21 part of that, it wouldn't hurt you in any way if that
22 program that we've got is recognized and actually

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1 recommended and implemented to the industry in your
2 area. Then you'll see results.

3 MS. SILVER: They're doing it.

4 VOICE: It's not the same program, believe
5 me, and they don't have the same elements to it, I
6 can guarantee you.

7 MR. SILVER: Have you got the blue
8 booklet, Frank?

9 VOICE: We go way beyond the blue booklet.
10 Our program goes way beyond the blue booklet. We do
11 not just take a blue booklet and hand it to the pilot
12 and say Fly Friendly. That's not what we're about.

13 MR. SILVER: The more basic point I think
14 that Marnie was bringing is bringing up, and I agree
15 with that, and that is, she's not saying you
16 shouldn't continue your voluntary mechanisms, and I
17 don't think anyone is saying to get rid of that.

18 It's a little like saying we encourage everybody to
19 stop at red lights. That's a very healthy,
20 constructive thing to do. And it's a city policy.
21 But if you choose to run through the red light,
22 there's an enforcement mechanism known as a C-O-P --

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1 shows this doesn't work in New York.

2 What worked in New York was we shut down
3 the operation in one heliport. We did a lawsuit. We
4 put so much pressure on these guys, like the sea
5 plane, his not being able to fly the sea planes is a
6 direct relationship to what the community, the
7 pressure we put on them, you know. That's what
8 worked. The Fly Friendly did not work.

9 In fact, it was a great detriment to the
10 community, because as we were trying to organize all
11 five boroughs, they were going into other boroughs
12 and saying let's do Fly Friendly with you.

13 So they divided us. So we in Manhattan
14 and Bronx had problems with Brooklyn because that's
15 what they were doing. So as a political strategist
16 when I'm working on strategy that we're going to get
17 them on all corners, you know, because that's all we
18 can do, they're in there breaking up my strategy.
19 Okay. That's what happens with Fly Friendly.

20 So now Fly Friendly, we don't have them
21 coming out, because we basically shut down that
22 operation. We convinced the mayor -- he was an

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1 a cop.

2 And for us to focus or even put too much
3 attention on flying neighborly, Fly Friendly. I
4 mean, every time an issue comes up, you know, if
5 you're number one on this list, by the way, remember,
6 Fly Friendly, that isn't working. Now it may work in
7 other places. I don't know how the eskimos take it
8 in their igloos, but I can tell you clearly, Fly
9 Friendly is a failure, and we're beyond Fly Friendly.

10
11 We are now at the point of strongly
12 advocating -- you've heard all these comments. They
13 want legislation. What is needed is for the industry
14 to sit down and to talk to us about how we tailor the
15 legislation to solve the problems of, some will just
16 as in terms, for instance, of what noise level on the
17 ground is acceptable. That might be Part A, but Part
18 B is what frequency is acceptable? If we can sit
19 down and discuss those kinds of things.

20 MS. MUELLER: Can I just say something.
21 You were saying the Fly Friendly works in New York.
22 It actually doesn't work in New York. He's here. It

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1 impossible mayor. So we bullied him as much as he
2 bullies all of us, so they closed down National,
3 okay?

4 So what happens is now I have some relief
5 in my neighborhood. Other people have some relief in
6 their neighborhoods, but now it's over the Hudson
7 River. The people who live on the Hudson River in
8 New York, we're getting calls all the time from them.
9 It didn't help them. It helps me in Central Park
10 when I go running every day or when we go bird
11 watching or something. It didn't help the people in
12 Riverside Park when I walked down from Riverside
13 Church the other day on a Sunday after services. I
14 heard your damn helicopters all the time, and it
15 didn't help him because we pushed the helicopters
16 over to him. Fortunately, they can't really divide
17 us, you know, because we actually get together. But
18 we don't want them going around dividing us all the
19 time. We want legislation. That's what we want.

20 VOICE: I think we have to be accurate.
21 The accurate statement is the community came to us
22 and said we don't want you on Second Avenue. We

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<p>Page 190</p> <p>1 don't want you over Brooklyn Heights, and we'd like 2 you to change the route on Staten Island. We did 3 every one of those things in response to the 4 community. 5 MS. MUELLER: Exactly. And then there was 6 an impact on another committee. 7 VOICE: The National Resources Defense 8 Council wrote the report. In the report it 9 specifically says that helicopters should be mandated 10 to fly over waterways. 11 MS. MUELLER: I disagree with that. 12 VOICE: We put ourselves over waterways. 13 MS. MUELLER: Well, we disagree with that. 14 VOICE: We've gone out of our way to do 15 everything that the community and the group said, and 16 the simple fact, Marnie, in all honesty, you have to 17 admit it is, there's nothing that's going to appease 18 you except we disappear. That there's no helicopters 19 over New York and all three heliports close. And if 20 we understand that -- 21 MS. MUELLER: We know what our bottom line 22 is. You don't know what the bottom line is.</p>	<p>Page 192</p> <p>1 writing and there's not the possibility also of, you 2 know, in the same bullet points it doesn't say, and 3 of course the possibility of certain legislative 4 processes or recommendations that we make -- 5 MR. LIU: I can't guess what the 6 legislative processes are going to be. 7 MR. SHERMAN: I'm just trying to point to 8 why there may be some sensitivity about this 9 particular page, that's all. 10 VOICE: We have absolutely no problem 11 sitting down at the table and discussing regulatory 12 initiatives if they're logical and make sense to 13 everybody. We're not going to sit at a table and 14 vote for closing all the heliports and shut down the 15 airports. 16 MR. SHERMAN: We don't expect you to. 17 VOICE: Common sense says that, you know, 18 is if it's in everybody's benefit to sit down and see 19 if there's maybe regulatory things that we can 20 support jointly. 21 MR. SILVER: Yeah, but I didn't hear 22 anywhere. They may have a position there, but the</p>
<p>Page 191</p> <p>1 VOICE: If we understand that, then we 2 know where we're coming from. We can't agree to 3 that. I mean, that's ludicrous. 4 MR. SHERMAN: We're not going to solve the 5 issue here today. 6 VOICE: You know what I'm saying. I can't 7 sit here and let it be misrepresented. It's not 8 true. I'm sorry. 9 MR. LIU: But that process was in place 10 and we tried -- 11 MS. MUELLER: That's all I'm trying to 12 say. When I see it there, you can imagine. 13 MR. SHERMAN: But I think the sensitivity 14 is that here in writing is a statement about the 15 processes and, you know, the voluntary structure and 16 process by the Eastern Region Helicopter Council. 17 But of course this whole process is that 18 recommendations will come to a legislative body which 19 may produce legislation, but I think there is a bent 20 that people are sensitive to on the part of the FAA. 21 It's just a perception -- I'm just saying 22 it's a perception. And I think when this is in</p>	<p>Page 193</p> <p>1 universal position in all your documentation is not 2 shut down the industry, put them to work in the 3 shipyards or whatever. 4 VOICE: That was actually told to us at a 5 meeting, by the way. That was actually said to us at 6 a meeting. 7 (Laughter.) 8 MR. SILVER: I don't hear them saying 9 that. But what I do hear is a very precise and 10 consistent and targeted criticism that either has not 11 been addressed by Flying Friendly or must be 12 addressed by legislation, and until the FAA acts on 13 this. I mean, I think it's a disrespect for an 14 agency like the FAA to have to have Congress say get 15 on the stick on this. You know, that's not their 16 role. Their role to is to initiate, to do this in an 17 orderly, logical way. 18 So clearly, some things acting on 19 legislatively on, and the issues are laid out on the 20 table. They're very clear. People are not 21 complaining on the whole about the police and fire. 22 They clearly want some identification so they know</p>

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1 who's police and fire, because so often what I've
2 seen is the media people and the training people say,
3 oh, it's police and fire. And, you know, they pass
4 the buck. Well, that buck stopped with the reports
5 that I put in at the end, because I actually got the
6 records and showed that it's not police and fire,
7 that it's media. So, you know, that's a clear
8 mandate.

9 There's another clear mandate in terms of
10 elevation, whether 1,500 feet or 1,000 or 2,000. And
11 that's going to be predicated -- that's an arbitrary
12 number, and it's predicated on noise levels of
13 today's aircraft. My suspicion is, and you can come
14 out with your new helicopter with a twin noise guard
15 somewhere under the bottom, you'll be able to do it
16 at 200 feet and maybe a few people will complain.

17 So noise levels vis-a-vis altitude.
18 Clearly the issue of what hours they fly. Clearly
19 the tourist helicopter industry -- there's a mandate
20 to address that, and that is literally worldwide.
21 It's not just in the continental U.S. I mean, in
22 Alaska. They're all wanting to address that, those

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1 issues. So they're all very clearly laid out and
2 it's going to require some form of legislation.

3 The only question is, do you want to be a
4 party to this, to help mold it so that it's a
5 rational piece of legislation, or do you need the
6 sledgehammer of the U.S. Congress to say this is
7 what's going to be done? I'd like the former rather
8 than the latter.

9 VOICE: So would we.

10 MR. SILVER: Well, hopefully, we'll agree
11 with some of their astute and well thought out
12 regulations.

13 VOICE: It's to everybody's benefit.

14 MR. SHERMAN: A last question about this
15 executive summary that you bring out that will be
16 coming out eventually. The executive report comes
17 out -- I know you said it won't come prior, but when
18 it's out, is out on the Internet?

19 MR. LIU: I don't know.

20 MR. SHERMAN: When it goes to the public.

21 VOICE: I have no idea. Because I did a
22 different report and I never saw it become anything

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1 other than --

2 MR. SHERMAN: But Sandy, assuming --

3 VOICE: But I don't think it was ever
4 published and given a government report number.

5 MR. LIU: Assuming that's possible, you
6 could put it up on your website.

7 MR. SILVER: If you have a website, fine.

8 But if that isn't done, and particularly if there's
9 voluminous materials, those principals who invested
10 their time and resources to come in here and be here
11 should at least receive copies.

12 VOICE: You can probably arrange to send a
13 copy to everybody who's attended the meeting or
14 submitted comments.

15 VOICE: I was assuming that was going to
16 happen.

17 (Laughter.)

18 (Pause.)

19 MR. MALLIN: After you've expended an
20 awful lot of effort in research and development in
21 making the helicopter quiet, I think the only thing
22 that will satisfy Marnie is our next R&D effort would

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1 be to make it invisible.

2 (Laughter.)

3 MR. MALLIN: And when we have that
4 finished --

5 MS. MUELLER: Not only invisible, but
6 nonexistent.

7 MR. MALLIN: Well, there's another
8 dimension. It could be the seventh dimension.

9 (Laughter.)

10 MR. SILVER: But don't you see that rubber
11 band, elastic philosophy at work, you know? Because
12 I worked with Joy Held and helped form that, gave her
13 a lot of suggestions, we worked together getting it
14 going. There was no effort to address this problem,
15 and it got so bad with nothing to address all their
16 grievances that finally they had to form an
17 organization, and when you do, then they take
18 aggressive action. That's not the best way for the
19 industry to deal with issues.

20 You should see that this is a problem
21 because there have been some noise complaints and
22 take aggressive action to head off these kinds of

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1 things.

2 I hear more cooperative results here than
3 I have in the past. The dialogues I had with some of
4 the powerful media people in Los Angeles -- and we're
5 talking about every radio and TV station -- are not
6 as conciliatory about talking about let's sit down
7 and talk about legislation. What their argument is,
8 well, that's an airport. What do you expect to walk
9 out of there, cows? No, we're going to fly
10 helicopters. And I'm just saying, this is their
11 dialogue. You need to be aware of that, and maybe
12 you can help.

13 VOICE: The simple fact, and hopefully
14 Marnie will agree to this, is that we've never sat
15 down and said that what we're doing is legal and
16 safe, and we don't care. We've never hidden behind
17 that. We've never said that there's a heliport
18 there, and we can come and go as we please. The heck
19 with you. We'll never take that attitude.

20 MS. SILVER: We don't get that in
21 California. California is nice. Do you know that
22 almost every airport bans helicopters except Van Nuys

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1 for, what the times were. So we actually forward it
2 them. We're probably one of the biggest advocates of
3 trying to get them to be conscious of early
4 operations, extended hovering, multiple aircraft over
5 the site, and maximum use of the technology.

6 We acknowledge the fact that these fellows
7 have equipment that can take license plate numbers
8 from 5,000 feet.

9 MR. SHERMAN: Have there been any kind of
10 discussions?

11 VOICE: The Helicopter Noise Coalition has
12 actually commented. Joy provided me comments on our
13 -- we drafted an electronic newsgathering operating
14 manual that the stations hopefully will sign onto.

15 MS. MUELLER: Because the truth is that
16 they're like the tourist helicopters. They're the
17 ones that feel -- that the citizens feel the greatest
18 impact and outrage us the most. So it behooves you,
19 if you want to be able to still have corporate and
20 all that --

21 MS. SILVER: All we need is a 7:00 a.m.
22 curfew. Then they'll find someplace else to go.

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1 Airport, and I think Burbank. So they all come to
2 Van Nuys and they all start out about 4:30 a.m., and
3 it's one after the other after the other. We live
4 about half a block away from the freeway.

5 MR. SILVER: And the mayor and city
6 council enjoys good relationship or wants good
7 relationship with the media.

8 MS. SILVER: They get plenty of money from
9 the media. Let's face it.

10 MR. SHERMAN: Have you in your position
11 with your organization, have you ever had discussions
12 with the stations about this problem?

13 VOICE: She can attest to this. I've had
14 some real knock-down and drag-outs with them.

15 MS. MUELLER: They really are trying
16 actually.

17 VOICE: We do not hide behind the fact
18 that it's a helicopter and they're one of us. We
19 don't buy into that. Our attitude is, when we get
20 calls on our hotline, we actually make copies of them
21 and I provide them to the stations, and they identify
22 the aircraft as well as the network that it's working

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1 MR. SILVER: Which is precisely what the
2 industry does not want. It's a very competitive in
3 the morning on those major markets, you know, at the
4 broadcast, very competitive. The longer they can
5 hover over an accident or the sooner they can get
6 that car running down the freeway on a freeway chase.
7 As you know, there are companies now in Los Angeles
8 that will put out on a beeper when there's a car
9 chase so people can turn it on.

10 VOICE: We're in much better shape than we
11 were a year and a half, two years ago. We're not
12 where we want to be.

13 MR. SILVER: You mean in New York?

14 VOICE: Yeah.

15 MR. SILVER: I don't know about that. I
16 can tell you, not in Los Angeles. You see, a year
17 and a half or two years ago, they closed up the
18 Sacramento News Bureau because the radio and TV
19 stations found that it was not an interesting thing
20 to put on TV, you know, sitting there with a bunch of
21 talking heads and passing bills, so they have closed
22 those bureaus and added helicopters either purchased

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1 or through leasing or buying through subcontractors,
2 and that has increased the frequency greatly. And
3 this has created a big problem. We're seeing the
4 same thing from New York and along the East River
5 there. It's all over.

6 We get complaints from Albuquerque and
7 from I would think little somewhat unimportant
8 communities. They're all having the same problem.
9 So mostly the FAA is going to have to resolve it.

10 VOICE: Well, we're prepared to do
11 whatever we can.

12 MS. MUELLER: We've gotten to a certain
13 stage -- it used to be they would cry First
14 Amendment. And now they're saying corporate profits,
15 or that they need it.

16 VOICE: Well, it's a two-pronged issue.
17 There's the operational end of the problem, which is
18 the pilots and the operators, and we honestly believe
19 that we have a very good handle on that aspect of it.
20 The other end of the problem, which is a little
21 larger issue, is the stations and the news directors,
22 two separate things.

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1 helicopter pilot, the minute he was in the air and no
2 one was communicating with the tower, he switched
3 over to a separate frequency to talk to his news
4 director or news staff who was sitting there with a
5 scanner, and what do you think happened? He didn't
6 go out and look for accidents. What he did is, he
7 asked "Where are the accidents?" And that would be
8 reported and then now that we all knew that, it was
9 on the Internet, and you could get a feed from
10 CalTrans, then he flew over that site at three or
11 four, and if a car was turned over or whatever, then
12 ten helicopters would hover.

13 MS. SILVER: When the weather is bad, they
14 pretend they're in the air. They have this
15 helicopter sound in the background, and they do from
16 the CalTrans. Yes. Right. So why can't they do
17 that all the time?

18 (Laughter.)

19 MR. MALLIN: That's the seventh dimension
20 I was talking about.

21 (Laughter.)

22 VOICE: Won't even leave the airport.

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1 MR. SILVER: At one point I contacted
2 every news director in Los Angeles to say this is a
3 big problem. Will you route your helicopters this
4 way or that? The response that I got from them,
5 except for Channel 5, which really didn't want to
6 talk to us. They were very, very arrogant -- was,
7 and this is just candidly what they said. "To be
8 honest with you, we don't care where the helicopters
9 fly. I want to make sure they're in the air so I can
10 sell soap and toothpaste and so on and go to sites."

11 They really don't care, because in Los
12 Angeles, we have in Los Angeles County a superb
13 system for tracking, and this probably should have
14 been part of the record. But CalTrans, our
15 transportation agency, has put in 1,400 loops in the
16 pavement and video cameras, as in fact in D.C. you
17 get a similar feed like that. And they're able to
18 report without helicopters the traffic speeds on
19 every individual lane, and all this is on the
20 Internet as well.

21 The thing that I found most amazing is
22 when I listened to the communication between the

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1 You're in virtual news.

2 VOICE: As a matter of fact, we'll do this
3 all on simulators.

4 MS. SILVER: And they literally do that
5 when the planes came in when it was overcast or snow
6 or raining.

7 VOICE: We need virtual helicopters and
8 virtual news.

9 MR. SILVER: But the reality is it's here.
10 The technology is already in the ground, the
11 station's already pick it up. But the reason they
12 put helicopters on the air is because they're trying
13 to run a beauty contest at 6:30 in the morning to see
14 which brunette has the longest hair and the most
15 seductive. That's what's in the helicopters. That's
16 all fine.

17 VOICE: We haven't reached that pinnacle
18 in New York. We still have ugly guys.

19 (Laughter.)

20 MR. SILVER: But that's at the core of it.

21 MR. LIU: Well, unfortunately, I can't
22 express why, you know, there's these alternatives,

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1 but obviously and the appeal. The appeal is a big
2 issue.

3 VOICES: There's no doubt about it.

4 MR. LIU: And it goes beyond just that
5 part of traffic. I'm sure they'd like to, you know,
6 the O.J. story and things like that that pop up, they
7 can be on site.

8 MS. SILVER: Covering the O.J. story, they
9 were hovering over his house and nothing was
10 happening there.

11 MR. SILVER: And the FAA was willing to
12 put out those temporary SFARs -- I forget what you
13 call them --

14 VOICE: TFRs?

15 MR. SILVER: Yeah, TFRs when there's a
16 problem. But I'd like to see this much more relaxed
17 so that local agencies could call for that without
18 having to go through the restrictions that they do.

19 MR. LIU: Okay. As far as the meeting
20 goes, I think we've digested a lot of information
21 today. And again, in the next week or so we'll
22 probably get a couple of more comments coming in, but

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1 for the most part I think we've got a lot of
2 information under our hands and we'll start
3 evaluating that and putting it together for this
4 report.

5 If there's any more closing comments, I'm
6 just going to close this meeting, and those who want
7 to stay, I'm just going to talk about activities
8 within our office and which direction we're headed.
9 We can take a break.

10 (Recess.)

11 (Whereupon, at 3:30 p.m. on October 20,
12 2000, the meeting was adjourned, with comments
13 accepted until 5:00 p.m.)

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